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**COUNTY OF SAN LUIS OBISPO**  
**DEPARTMENT OF PLANNING AND BUILDING**  
**STAFF REPORT**

**PLANNING COMMISSION**

<b>MEETING DATE</b> March 9, 2006	<b>CONTACT/PHONE</b> Mike Wulkan, project manager 781-5608	<b>APPLICANT</b> Tom Davis	<b>FILE NO.</b> DRC2003-00062
<b>SUBJECT</b> Request by Tom Davis for a Variance/Coastal Development Permit to allow grading on slopes in excess of 30 percent for development of an approximately 3,825 square-foot, three-story single family dwelling, including an approximately 950 square-foot garage/workshop on the lower level, plus decks on the second and third levels. The project will result in the disturbance of approximately 3,000 square feet of an approximately 3,600 square-foot parcel. The proposed project is within the Residential Single Family land use category and is located on the southeast side of Chaney Avenue (at 510 Chaney Avenue), approximately 250 feet northeast of Gilbert Avenue, in the community of Cayucos. The site is in the Estero planning area.			
<b>RECOMMENDED ACTION</b> 1. Adopt the Mitigated Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Variance DRC2003-00062 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
<b>ENVIRONMENTAL DETERMINATION</b> The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on February 2, 2006 for this project. Mitigation measures are proposed to address agricultural resources, air quality, geology, and drainage, and are included as conditions of approval.			
<b>LAND USE CATEGORY</b> Residential Single Family	<b>COMBINING DESIGNATION</b> Geologic Study, Local Coastal Program	<b>ASSESSOR PARCEL NUMBER</b> 064,404,011	<b>SUPERVISOR DISTRICT(S)</b> 2
<b>PLANNING AREA STANDARDS:</b> Communitywide #1: Building Permits – District Authorization Required Communitywide #2: Setbacks - Communitywide GSA Combining Designation #1: Morro Bay & Cayucos Hillsides RSF#1: Height Limitation <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
<b>LAND USE ORDINANCE STANDARDS:</b> Sections 23.01.045 – Variance; 23.04.116 – Heights; 23.05.040, 23.05.050 – Drainage; 23.05.034 – Grading Standards; 23.05.036 – Sedimentation and Erosion Control; 23.07.080 – Geologic Study Area <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
<b>EXISTING USES:</b> Vacant			

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**SURROUNDING LAND USE CATEGORIES AND USES:**

*North:* Residential Single Family (RSF)/residential

*East:* Agriculture/grazing

*South:* RSF/undeveloped, residential

*West:* RSF/ undeveloped, residential

**OTHER AGENCY / ADVISORY GROUP INVOLVEMENT:**

The project was referred to: Cayucos Citizens Advisory Council, Public Works, Cayucos Fire Protection District, Cayucos Sanitary District, and the California Coastal Commission

**TOPOGRAPHY:**

Steeply sloping

**VEGETATION:**

Grasses, forbs, scattered shrubs

**PROPOSED SERVICES:**

Water supply: Community system

Sewage Disposal: Community sewage disposal system

Fire Protection: Cayucos Fire protection District

**ACCEPTANCE DATE:** December 6, 2005

ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT:  
COUNTY GOVERNMENT CENTER □ SAN LUIS OBISPO □ CALIFORNIA 93408 □ (805) 781-5600 □ FAX: (805) 781-1242

**PROJECT HISTORY:**

In September 1998, the Board of Supervisors approved a Variance/Coastal Development Permit submitted by Tom Davis to allow grading on slopes over 30 percent for construction of a single-family residence. That Variance/Coastal Development Permit was valid for five years with time extensions, and expired in September 2003. A new Variance/Coastal Development Permit application for a similarly designed project was submitted in March 2004.

**ORDINANCE COMPLIANCE:**

*Variance*

The applicant is requesting a Variance for the proposed single-family dwelling to allow grading on slopes over 30 percent. The slopes on the site exceed 30 percent, ranging from roughly 33 to 41 percent.

Staff supports and is able to make the required findings to grant the requested Variance for the following reasons (please see Exhibit A for the complete findings):

1. There are special circumstances that apply to the property, because the site's small size and steep slopes prevent any development on slopes of less than 30 percent. Without this Variance, this legal lot could not be developed, as are other lots in the vicinity within this Single Family land use category.
2. The Variance does not constitute a grant of special privilege in this case, because other sites in the vicinity with steep slopes are similarly developed, and Variances have been granted in similar situations on such small, steep lots without alternative building locations.

3. The proposed single-family dwelling is an allowable use in this Residential Single Family land use category.
4. The Variance will not adversely affect health or safety, be detrimental to the public welfare, or be injurious to nearby property or improvements for the following reasons:
  - a. Grading will be engineered to ensure required standards of stability.
  - b. Grading and construction will be inspected and verified for compliance with requirements by a certified engineering geologist and soils and/or civil engineer.
  - c. In order to address polluted runoff, a drainage plan, including Best Management Practices (BMPs), will ensure that the project does not increase or redirect runoff that would worsen existing conditions.
  - d. A registered civil engineer will verify that the recommendations of the approved drainage plan, as well as the required sedimentation and erosion control plan, are implemented.
5. The variance is consistent with the San Luis Obispo County General Plan, because it will result in compatible, "infill" development that minimizes risks to human life and property, and because there are no alternatives to the proposed development location that would reduce site disturbance.

*GSA Combining Designation, Drainage, Sedimentation and Erosion Control*

Projects within the Geologic Study Area (GSA) combining designation are subject to preparation of a geological report to evaluate geological stability in accordance with Section 23.07.084 of the County's Coastal Zone Land Use Ordinance (CZLUO). Several geologic and soils engineering reports and follow-up reports have been prepared for this site between June 1997 December 2004. In addition, the soil engineering report received third party review, and the County Geologist reviewed geologic and related information.

The major conclusions of the soils and geology reports are that:

- The site is within a general area that is subject to unstable slopes and underlain by landslides, and recent and active landslides have occurred on the hillsides located east and west of the site; however, this site is grossly stable with regard to bedrock landsliding, and nearby landslides will not affect the proposed development.
- Minor surficial slumping of topsoil at the front of the lot will be mitigated by the proposed development.
- Severe erosion is not a hazard, and proposed drainage and site improvements will protect against potential minor erosion.
- With regard to soils engineering, the site is suitable for the proposed project if recommended design and construction measures are implemented.

Based on the soils and geology reports, the Initial Study concludes that potential geologic and geotechnical impacts, both site-specific and cumulative, will be reduced to a level of insignificance with implementation of the soils engineering and geology recommendations of the

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applicant's consultant, the third party professional reviewer and the County Geologist. Those recommendations include the following, and are incorporated into the conditions of approval for this project:

- Implementing geologic and geotechnical measures for site preparation, grading (including subslab and floor drainage systems), trenching, foundations (including footings that bear sufficiently into sandstone bedrock), slabs and flatwork, retaining walls and shoring, and drainage, and conducting observation and testing
- Active involvement of a certified engineering geologist and a geotechnical engineer throughout design and construction of the project
- Evaluation of the stability of temporary slopes prior to grading
- Compliance with California Civil Code Section 832 regarding the rights of the adjoining property owner with regard to proposed cut slopes next to the existing house

GSA standards of the CZLUO are satisfied, because the required geologic and soils reports have been prepared, and a geologist retained by the County has reviewed them. In addition, the conditions of approval require that grading is to be performed as "engineered grading," and that structural stability will be ensured, and development will not contribute to erosion, sedimentation (see the following discussion) or instability.

In accordance with Section 23.05.034 of the CZLUO, grading will be the minimum amount needed to provide stability and adequate yard areas, because the proposed grading is necessary to excavate into the hillside for the foundation and garage, and cut slopes will be held in place with retaining walls.

According to a 1997 drainage study prepared for the Chaney Avenue area, including an area between the project site and Highway 1, stormwater runoff from the 100-year storm, at full development, would be negligible and would have little effect on the culvert under Highway 1. In addition, stormwater runoff from individual properties would be small and could be directed to Chaney Avenue, provided that each site accepts and does not divert historic flows. In that case, no additional drainage to adjacent structures would occur.

The Initial Study concludes that potential site-specific and cumulative drainage impacts will be reduced to a level of insignificance with implementation of recommendations of a drainage plan (per Section 23.05.050 of the CZLUO) and a sedimentation and erosion control plan (CZLUO Section 23.05.036), with the former plan to include "best management practices," and the latter plan to include both temporary and long-term measures. In addition, the applicant will be required to agree not to oppose formation of a future assessment district for construction of drainage improvements in the area. The preceding measures are included as conditions of approval of the project.

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**PLANNING AREA STANDARDS:**

The following table shows how the proposed project complies with the setback requirements of Communitywide standard 2: and the height limitation of Residential Single Family standard 1.

<u>Standard</u>	<u>Allowed/Required</u>	<u>Proposed</u>
Setbacks		
Front	Min. 10 feet	10 feet <sup>1</sup>
Side	Min. 3 feet	3 feet <sup>2</sup>
Rear	Min. 5 feet	5 feet
Height	28 feet from average natural grade	28 feet from average natural grade

1. proposed retaining walls are allowable in front setback
2. proposed retaining walls are allowable in side setback

GSA Combining Designation standard 1 for the Morro Bay and Cayucos Hillside requires that a geologic report be prepared for proposed development. The required reports have been prepared, as detailed in the preceding section, *GSA Combining Designation, Drainage, Sedimentation and Erosion Control*.

**COASTAL PLAN POLICIES:** The most relevant policies are discussed below.

Shoreline Access: ☒ N/A

Recreation and Visitor Serving: ☒ N/A

Energy and Industrial Development: ☒ N/A

Commercial Fishing, Recreational Boating and Port Facilities: ☒ N/A

Environmentally Sensitive Habitats: ☒ N/A

Agriculture: ☒ N/A

Public Works: ☒ N/A

Coastal Watersheds: ☒ Policy Nos. 9 and 10: Techniques for Minimizing Sedimentation, Drainage provisions. The proposed project is consistent with these policies to minimize erosion and sedimentation, and to ensure that drainage does not increase erosion, because the conditions of approval require preparation of drainage and sedimentation and erosion control plans, as detailed in the preceding section, *GSA Combining Designation, Drainage, Sedimentation and Erosion Control*.

Visual and Scenic Resources: ☒ N/A

Hazards: ☒ Policy Nos. 1-3: New Development, Erosion and Geologic Stability, and Development Review in Hazard Areas. The proposed project is consistent with these policies to minimize risks to human life and property from geologic conditions, ensure structural stability without contributing to erosion or geological instability, and to require detailed review of development proposals within the GSA combining designation, as detailed in the preceding section, *GSA Combining Designation, Drainage, Sedimentation and Erosion Control*.

Archaeology: ☒ N/A

Air Quality: ☒ Policy 1, Air Quality. The proposed project is consistent with this policy to enforce air quality regulations, because the applicant will be required to comply with asbestos control measures by implementing an Asbestos Dust Mitigation Plan approved by the Air Pollution Control District, as well as an Asbestos Health and Safety Program if

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determined necessary by the Air Pollution Control District. These measures are needed because asbestos is considered a toxic air contaminant that may be present within the soil underlying the project site, and future grading and site disturbance could release the asbestos into the air, resulting in a potentially significant air quality impact.

***Does the project meet applicable Coastal Plan Policies:*** Yes, as conditioned

**COMMUNITY ADVISORY GROUP COMMENTS:**

The following concerns are expressed in the attached letter dated April 6, 2005 from Mary Ann Carnegie of the Land Use Committee of the Cayucos Citizens Advisory Council (CCAC): 1) road improvements on Chaney Avenue should meet the fire department's minimum requirements, 2) cumulative drainage should be reviewed in detail, 3) the 28-foot height limit should be verified, and 4) no building wall should exceed 22 feet in height, but if it does, the building design should use articulation or other means to break up the building mass. The Land Use Committee recommended that this project be approved as proposed.

The following responds to the Land Use Committee's concerns: 1) the Cayucos Fire Protection District has stated that road improvements have been made (they have been accepted by the Public Works Department), and a fire hydrant has been installed on Chaney Ave. near the site, 2) the Initial Study determined that cumulative drainage impacts will be reduced to a level of insignificance with implementation of recommendations of a drainage plan and a sedimentation and erosion control plan (see the preceding section, *GSA Combining Designation, Drainage, Sedimentation and Erosion Control*), 3) the project will be required to comply with the 28-foot height limit, including verification in the field, and 4) some proposed building wall heights exceed 22 feet, as allowed by existing standards, but the proposed design includes upper story setbacks, varied rooflines, and architectural details that help break-up the mass of the building somewhat.

**AGENCY REVIEW:**

Public Works--recommend approval; grading and drainage plan to include erosion/sedimentation control plan; road improvements per Fire Department; road improvements accepted by Public Works; retaining walls should be relocated beyond 10 feet from the existing paved roadway edge; drainage plan may need additional detail that can be addressed at plan submittal stage

Cayucos Fire Protection District--road improvements have been made and fire hydrant installed; project will need to be fire-sprinklered (NFPA 13 D)

CSA 10A--will-serve letter valid; water meter installed and active

**LEGAL LOT STATUS:**

The two existing lots were legally created by a recorded map at a time when that was a legal method of creating lots. The existing lots are considered to be a single building site in accordance with the lot consolidation standards of the Coastal Zone Land Use Ordinance (Section 23.04.048). The conditions of approval require that a Voluntary Merger be completed prior to issuance of a building permit.

Staff report prepared by Mike Wulkan and reviewed by Matt Janssen

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## FINDINGS - EXHIBIT A

### *Environmental Determination*

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on February 2, 2006 for this project. Mitigation measures are proposed to address agricultural resources, air quality, geology, and drainage, and are included as conditions of approval.

### *Variance*

- A. The variance authorized does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and land use category in which it is situated because other sites in the vicinity with steep slopes are similarly developed, and Variances have been granted in similar situations on such small, steep lots that do not have alternative building locations.
- B. There are special circumstances applicable to the property, including size, shape, topography, location, or surroundings, and because of these circumstances, the strict application of this Title would deprive the property of privileges enjoyed by other property in the vicinity and in the same land use category, because the site's small size and steep slopes prevent any development on slopes of less than 30 percent, and without this Variance, this legal lot could not be developed in a manner consistent with other lots in the vicinity within this Single Family land use category.
- C. The variance does not authorize a use that is not otherwise authorized in the land use category because the proposed single-family dwelling is allowable in the Residential Single Family land use category.
- D. The granting of such application does not, under the circumstances and conditions applied in the particular case, adversely affect the health or safety of persons, is not materially detrimental to the public welfare, and is not injurious to nearby property or improvements for the following reasons
1. Grading will be engineered to ensure required standards of stability.
  2. Grading and construction will be inspected and verified for compliance with requirements by a certified engineering geologist and soils and/or civil engineer.
  3. In order to address polluted runoff, a drainage plan, including Best Management Practices (BMPs), will ensure that the project does not increase or redirect runoff that would worsen existing conditions.
  4. A registered civil engineer will verify that the recommendations of the approved drainage plan, as well as the required sedimentation and erosion control plan, are implemented.

- E. The variance is consistent with the San Luis Obispo County General Plan, because it will result in "infill," single family development that is compatible with surrounding development in this Single Family land use category and that minimizes risks to human life and property, and because there are no alternatives to the proposed development location that would reduce site disturbance.

*Coastal Access*

- F. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act, because the project is not adjacent to the coast and will not inhibit access to the coastal waters and recreation areas.



## EXHIBIT B - CONDITIONS OF APPROVAL

### **Approved Development**

1. This Variance/Coastal Development Permit approval authorizes:
  - a. Grading on slopes in excess of 30 percent for development of an approximately 3,825 square-foot, three-story single family dwelling, including an approximately 950 square-foot garage/workshop on the lower level, plus decks on the second and third levels.
  - b. A maximum height of 28 feet (as measured from the average natural grade).
2. All development shall be consistent with the approved site plan, floor plans, elevations, and landscape plan.

### **Conditions required to be completed at the time of application for grading or construction permits**

#### ***Site Development***

3. At the time of application for construction permits, the applicant shall submit a revised landscaping plan to the Department of Planning and Building for review and approval. The revised plan shall show the following, and landscaping shall be consistent with this revised and approved plan:
  - a. the type of treatment (e.g. pavers, rock, bark, etc.) of the areas not shown for planting, including areas underneath the overhangs of second and third floor decks and living areas
  - b. plantings in the area within the right-of-way and between the front retaining wall and the house that consist only of erosion-controlling ground cover and low-growing shrubs selected from the plant list maintained by the Department of Planning and Building (no trees or larger shrubs)
  - c. plantings in the area within the right-of-way and between the front retaining wall and the edge of pavement that consist only of erosion-controlling ground cover selected from the plant list maintained by the Department of Planning and Building (no shrubs or trees)
4. At the time of application for construction permits, plans submitted shall show all development consistent with the revised and approved landscaping plan, and the approved site plan, floor plan and architectural elevations.
5. At the time of application for construction permits, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

6. At the time of application for construction permits, construction plans shall show how cut slopes/retaining walls at the property lines protect people on adjacent properties in accordance with the Uniform Building Code.

**Geology**

7. Plans for the shoring system for retaining walls shall reflect the soils engineer's recommendations as to whether the following geotechnical considerations are to be considered in the shoring system for retaining walls: those specified in Items 10 and 11 under "Retaining Walls and Shoring," in the *Soils Engineering Report Update, Davis Residence, Lots 26 and 27, Chaney Avenue, Cayucos, California*, December 20, 2004, Earth Systems Pacific.

**Drainage Mitigation Measure/Drainage**

8. At the time of application for construction permits, the applicant shall submit a drainage plan prepared by a Registered Civil Engineer for review and approval by the County Public Works Department. The plan shall, at a minimum evaluate: 1) the effects of the project's projected runoff on adjacent properties and existing drainage facilities and systems, and 2) estimates of existing and increased runoff resulting from the proposed improvement. The drainage plan shall include improvements to ensure that existing drainage conditions will not be worsened. The drainage plan shall include the following:
  - a. Best Management Practices (BMPs) to address polluted runoff, including, but not limited to minimizing the use of impervious surfaces (e.g., installing pervious driveways and walkways) and directing runoff from roofs and drives to vegetative strips before it leaves the site
  - b. proper design of drainage measures that will capture all runoff from above and runoff generated from the project itself as soon as possible, divert it away from graded slopes, and safely convey it in a non-erosive manner to the street
  - c. hydrology calculations showing the maximum peak discharge and runoff volume generated by a 100-year frequency storm from the watershed draining onto the project site before and after development of the project
  - d. cross-section details of retaining walls, roads, and cut and fill slopes
  - e. contour map with two-foot contour intervals
  - f. drainage routes of all runoff passing through the project site from the watershed above and runoff generated from the project itself
  - g. type and dimensions of the system to be used to convey runoff through the project site; i.e., ditches, pipelines, culverts, etc.
  - h. hydraulic computations verifying carrying capacities of all runoff conveyance systems within the site, based on a 50-year frequency storm
  - i. a schedule for maintaining drainage controls on the site

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- j. proper design of inlets and outlets for culverts; outlets should include a method of dissipating the energy of existing flows to a non-erosive velocity
- k. all runoff from structures shall be directed to drainage systems within the right-of-way of public roads

**Conditions to be completed prior to issuance of a grading or construction permit**

**Fees**

- 9. Prior to issuance of a construction permit, the applicant shall pay all applicable school and public facilities fees.

**Services**

- 10. Prior to issuance of a construction permit, the applicant shall submit to the Development Review staff evidence from the Cayucos Sanitary District that all of their requirements, including payment of fees, have been met.

**Fire Safety**

- 11. Prior to issuance of a construction permit, the applicant shall provide the county Department of Planning and Building with a fire safety plan approved by the Cayucos Fire Protection District that includes fire-sprinklering the building .

**Lot Consolidation**

- 12. Prior to issuance of a construction permit, the applicant shall complete a Voluntary Merger of the two underlying lots comprising this site.

**Geology Mitigation Measures/Geology**

- 13. Prior to issuance of construction or grading permits, the following conditions shall be included on all construction and grading plans:
  - a. A certified engineering geologist shall review, approve and stamp construction plans, including all plans for building foundations and excavations.
  - b. The certified engineering geologist and the soils and/or civil engineer shall inspect work on-site and verify, as applicable, that building construction, including all foundation work, has been performed in a manner consistent with the intent of the plan review, geology reports and information, and the soils engineering reports (including the following: *Geologic Hazards Study, Lots 26 and 27, Chaney Avenue, Cayucos, California*, Earth Systems Consultants Northern California, June 12, 1997; *Cumulative Geologic Impact Review, APN 064-404-011, Chaney Avenue, Cayucos Area, San Luis Obispo County, California*, Geosolutions LLC, November 17, 1997; *Geologic Hazard Report Update, Davis Residence, Lots 26 and 27, Chaney Avenue, Cayucos, California*, Earth Systems Pacific, June 4, 2004; *Response to San Luis Obispo County Report Review Letter, Davis Residence, Lots 26 and 27, Chaney Avenue, Cayucos, California*, Earth Systems Pacific, December 6, 2004; *Report of Subsurface Exploration, Davis Residence, Proposed Lots 26 and 27, Chaney Avenue, Cayucos, California*, Earth Systems Pacific, July 11, 2005; *Soils Engineering Report Update, Davis Residence, Lots 26 and 27, Chaney Avenue, Cayucos, California*, December 20, 2004, Earth Systems Pacific, December 20, 2004; *Review of Soil Engineering Report Update, Davis Residence, Lots 26 and 27, Chaney Avenue, Cayucos, California*, Fugro West, May 31, 2005).

- c. The certified engineering geologist shall issue a final engineering geology compliance report as required by the Uniform Building Code that identifies changes observed during construction, recommendations offered for mitigation, and confirmation that construction was completed in compliance with the intent of the geology reports and information (see list in preceding item)
  - d. Should the services of the certified engineering geologist be terminated prior to final inspection and/or occupancy, the applicant shall submit a transfer of responsibility statement to the County Planning and Building Department from the new certified engineering geologist per the Uniform Building Code.
  - e. A final report prepared by a soils and/or civil engineer shall be submitted to the County Planning and Building Department's field inspector stating that all work performed is suitable to support the intended structure. Such report shall include any field reports, compaction data, etc.
  - f. The applicant shall implement all recommendations in the Observation and Testing Program prepared by the project civil engineer(s), geotechnical engineer(s), and/or certified engineering geologist(s). The Observation and Testing Program may include, but not be limited to review of the following: project plans, including grading, drainage, foundation, and retaining wall plans; stripping and clearing of vegetation; cut and fill slopes; benching and keying; preparation of paved areas; preparation of soil to receive fill; fill placement and compaction; subsurface drainage control; footing excavations; pre-moistening of subslab soils; surface and subsurface drainage structures; erosion control measures.
14. Grading and construction plans shall be designed in accordance with the geology reports and information, and the soils engineering reports (including the following: *Geologic Hazards Study, Lots 26 and 27, Chaney Avenue, Cayucos, California*, Earth Systems Consultants Northern California, June 12, 1997; *Cumulative Geologic Impact Review, APN 064-404-011, Chaney Avenue, Cayucos Area, San Luis Obispo County, California*, Geosolutions LLC, November 17, 1997; *Geologic Hazard Report Update, Davis Residence, Lots 26 and 27, Chaney Avenue, Cayucos, California*, Earth Systems Pacific, June 4, 2004; *Response to San Luis Obispo County Report Review Letter, Davis Residence, Lots 26 and 27, Chaney Avenue, Cayucos, California*, Earth Systems Pacific, December 6, 2004; *Report of Subsurface Exploration, Davis Residence, Proposed Lots 26 and 27, Chaney Avenue, Cayucos, California*, Earth Systems Pacific, July 11, 2005; *Soils Engineering Report Update, Davis Residence, Lots 26 and 27, Chaney Avenue, Cayucos, California*, December 20, 2004, Earth Systems Pacific, December 20, 2004; *Review of Soil Engineering Report Update, Davis Residence, Lots 26 and 27, Chaney Avenue, Cayucos, California*, Fugro West, May 31, 2005).
15. Grading plans shall include a soils engineering analysis of slope stability of cut slopes, and any necessary mitigating measures.
16. The foundation plans shall show that the footings bear into the sandstone bedrock.
17. The building plans shall include floor drainage systems if the Soils Engineer so recommends, if warranted by soil moisture, groundwater or seepage conditions.

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18. The grading plans shall show grading of only those areas necessary for construction purposes.

***Drainage Mitigation Measures/Drainage***

19. Prior to issuance of any construction or grading permits, a sedimentation and erosion control plan shall be prepared per County Coastal Zone Land Use Ordinance Section. 23.05.036 for review and approval by the County Public Works Department, and it shall be incorporated into the project to minimize sedimentation and erosion. The plan will need to be prepared by a registered civil engineer and address the following to minimize temporary and long-term sedimentation and erosion:
- a. slope surface stabilization, erosion and sedimentation control devices, final erosion control measures, and control of off-site effects.
  - b. The plan shall include seeding, fertilizing and mulching of all disturbed areas prior to October 15. Unless otherwise recommended by the registered civil engineer and approved by the County Public Works Department, disturbed areas shall be seeded with ryegrass at 1.0 pound per 1,000 square feet, fertilized with 16-20-0 at 2.0 pounds per 1,000 square feet, and mulched with straw or hay at 100 pounds per 1,000 square feet.
  - c. The plan shall include installation of earth or paved interceptors and diversion at the top of cut or fill slopes where there is a potential for erosive surface runoff.
  - d. Erosion and sediment control devices shall be installed as necessary, and may include, but are not limited to energy-absorbing structures or devices to reduce the velocity of runoff.
  - e. During the period from October 15 through April 15, all surfaces disturbed by vegetation removal, grading, or other construction activity shall be revegetated to control erosion within 30 days after completion of grading, unless the graded areas are covered with impervious or other improved surfaces authorized by the approved plans.
20. **Prior to issuance of any construction or grading permits**, the applicant shall submit to the County Public Works Department a signed, "Agreement to Participate in and not Oppose Formation of an Assessment District for the Construction and Installation of Drainage Improvements." The boundaries of the possible future assessment district include the hillside area of Cayucos, easterly of Highway 1 and southeasterly of Willow Creek.

**Condition to be completed prior to commencement of grading**

***Geology***

21. Prior to commencement of ground disturbance, as required by California Civil Code Section 832, the owner or his lessee intending to make or to permit an excavation shall give reasonable notice to the owner or owners of adjoining lands and of buildings or other structures, stating the depth to which such excavation is intended to be made, and when the excavating will begin.

**Conditions to be completed during project construction**

***Grading/Drainage***

22. No grading shall occur between October 15 and April 15. Grading shall commence during the summer months and be completed prior to October 15.
23. Prior to October 15, disturbed areas shall be seeded, fertilized and mulched per the approved sedimentation and erosion control plan (see Condition 19b).
24. Sedimentation and erosion control measures required in the approved sedimentation and erosion control plan shall be installed and maintained.
25. During the period from October 15 through April 15, all surfaces disturbed by vegetation removal, grading, or other construction activity shall be revegetated to control erosion within 30 days after completion of grading in accordance with Condition 19e.

***Building Height***

26. The maximum height of the project is 28 feet (as measured from average natural grade).
  - a. **Prior to any site disturbance**, a licensed surveyor or civil engineer shall stake the lot corners, building corners, and establish average natural grade and set a reference point (benchmark).
  - b. **Prior to approval of the foundation inspection**, the benchmark shall be inspected by a building inspector prior to pouring footings or retaining walls, as an added precaution.
  - c. **Prior to approval of the roof nailing inspection**, the applicant shall provide the building inspector with documentation that gives the height reference, the allowable height and the actual height of the structure. This certification shall be prepared by a licensed surveyor or civil engineer.

***Air Quality Mitigation Measure***

27. Prior to any ground-disturbing construction activities, the applicant shall comply with all requirements for asbestos outlined in the State Air Resources Board Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements may include, but are not limited to, 1) preparation of an "Asbestos Dust Mitigation Plan", which must be approved by APCD before grading begins; and 2) an "Asbestos Health and Safety Program," as determined necessary and approved by APCD (for any questions regarding these requirements, contact Karen Brooks (APCD) at (805) 781-5912).

***Geology/Geology Mitigation Measures***

28. At the commencement of ground disturbing activities, the certified engineering geologist shall evaluate exposed rock. If the certified engineering geologist believes that rock fracturing presents a safety risk, then construction shall cease until the stability of temporary slopes is reevaluated and the certified engineering geologist authorizes resumption of grading.
29. During project construction/ground disturbing activities, the applicant shall retain a certified engineering geologist of record and shall provide the engineering geologist's *Written Certification of Adequacy of the Proposed Site Development for its Intended Use* to the Department of Planning and Building.
30. During project construction/ground disturbing activities, the certified engineering geologist and the soils and/or civil engineer shall perform the on-site inspections and verifications specified in Condition 13b.
31. During project construction/ground disturbing activities, The applicant shall implement all recommendations in the Observation and Testing Program prepared by the project civil engineer(s), geotechnical engineer(s), and/or certified engineering geologist(s), as specified in Condition 13f.
32. Excavations shall comply with the provisions of California Civil Code Section 832, as follows:
  - a. In making any excavation, ordinary care and skill shall be used, and reasonable precautions taken to sustain the adjoining land as such, without regard to any building or other structure which may be thereon, and there shall be no liability for damage done to any such building or other structure by reason of the excavation, except as otherwise provided or allowed by law.
  - b. If at any time it appears that the excavation is to be of a greater depth than are the walls or foundations of any adjoining building or other structure, and is to be so close as to endanger the building or other structure in any way, then the owner of the building or other structure must be allowed at least 30 days, if he so desires, in which to take measures to protect the same from any damage, or in which to extend the foundations thereof, and he must be given for the same purposes reasonable license to enter on the land on which the excavation is to be or is being made.
  - c. If the excavation is intended to be or is deeper than the standard depth of foundations, which depth is defined to be a depth of nine feet below the adjacent curb level, at the point where the joint property line intersects the curb, and if on the land of the coterminous owner there is any building or other structure, the wall or foundation of which goes to standard depth or deeper, then the owner of the land on which the excavation is being made shall, if given the necessary license to enter on the adjoining land, protect the said adjoining land and any such building or other structure thereon without cost to the owner thereof, from any damage by reason of the excavation, and shall be liable to the owner of such property for any such damage, excepting only for minor settlement cracks in buildings or other structures.

3-16

**Conditions to be completed prior to final building inspection or occupancy of any structure associated with this approval, whichever comes first**

***Landscaping***

33. Prior to final building inspection, landscaping in accordance with the approved landscaping plan shall be installed or bonded for to ensure the implementation of landscaping. If bonded for, landscaping shall be installed within 60 days after final building inspection. All landscaping shall be maintained in a viable condition in perpetuity.

***Fire Safety***

34. Prior to final inspection, the applicant shall obtain final inspection and approval from Cayucos Fire Protection District for all required fire/life safety measures.

***Miscellaneous***

35. Prior to occupancy of any structure associated with this approval, the applicant shall contact the County Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

***Geology Mitigation Measures***

36. Prior to final inspection, the certified engineering geologist shall issue a final engineering geology compliance report as specified in Condition 13c.
37. Prior to final inspection, a final report prepared by a soils and/or civil engineer shall be submitted to the County Planning and Building Department's field inspector stating that all work performed is suitable to support the intended structure, as specified in Condition 13e.
38. Prior to occupancy or final inspection, whichever occurs first, the soils engineer and certified engineering geologist of record, shall verify, as applicable, that construction is in compliance with the intent of the plan review, geologic reports and information, and the soils engineering reports (including the following: *Geologic Hazards Study, Lots 26 and 27, Chaney Avenue, Cayucos, California*, Earth Systems Consultants Northern California, June 12, 1997; *Cumulative Geologic Impact Review, APN 064-404-011, Chaney Avenue, Cayucos Area, San Luis Obispo County, California*, Geosolutions LLC, November 17, 1997; *Geologic Hazard Report Update, Davis Residence, Lots 26 and 27, Chaney Avenue, Cayucos, California*, Earth Systems Pacific, June 4, 2004; *Response to San Luis Obispo County Report Review Letter, Davis Residence, Lots 26 and 27, Chaney Avenue, Cayucos, California*, Earth Systems Pacific, December 6, 2004; *Report of Subsurface Exploration, Davis Residence, Proposed Lots 26 and 27, Chaney Avenue, Cayucos, California*, Earth Systems Pacific, July 11, 2005; *Soils Engineering Report Update, Davis Residence, Lots 26 and 27, Chaney Avenue, Cayucos, California*, December 20, 2004, Earth Systems Pacific, December 20, 2004; *Review of Soil Engineering Report Update, Davis Residence, Lots 26 and 27, Chaney Avenue, Cayucos, California*, Fugro West, May 31, 2005). The soils engineer and certified engineering geologist of record shall provide written verification that the recommendations of the preceding geologic reports and information have been incorporated into the final design and construction, and such verification shall be submitted to the Department of Planning and Building for review and approval.



***Drainage Mitigation Measure***

39. Prior to occupancy of final inspection, whichever occurs first, the registered civil engineer shall verify that the recommendations of the approved drainage plan and the sedimentation and erosion control plan have been implemented. This verification shall be submitted in writing to the Department of Planning and Building for review and approval. If required by the County Public Works Department, the applicant shall execute a plan check and inspection agreement with the county, so that the drainage, sedimentation and erosion control facilities can be inspected and approved before final occupancy or final inspection, whichever occurs first.

**On-going conditions of approval (valid for the life of the project)**

***Agricultural Resources Mitigation Measure***

40. Prior to transfer of the property, the applicant shall disclose to prospective buyers the consequences of existing and potential intensive agricultural operations on adjacent parcels including, but not limited to: dust, noise, odors and agricultural chemicals and the county's Right to Farm ordinance currently in effect at the time said deed is recorded.

***Indemnification***

41. The applicant shall as a condition of approval of this Variance/Coastal Development Permit at his sole expense, defend any action brought against the County of San Luis Obispo, its present or former officers, agents, or employees, by a third party challenging either its decision to approve this Variance/Coastal Development Permit or the manner in which the County is interpreting or enforcing the conditions of this Variance/Coastal Development Permit, or any other action by a third party relating to approval or implementation of this Variance/Coastal Development Permit. The applicant shall reimburse the County for any court costs and attorney fees that the County may be required by a court to pay as a result of such action, but such participation shall not relieve the applicant of his obligation under this condition.
42. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Coastal Zone Land Use Ordinance Section 23.02.050 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 23.02.042 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
43. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Coastal Zone Land Use Ordinance.



## Variance

Davis DRC2003-00062

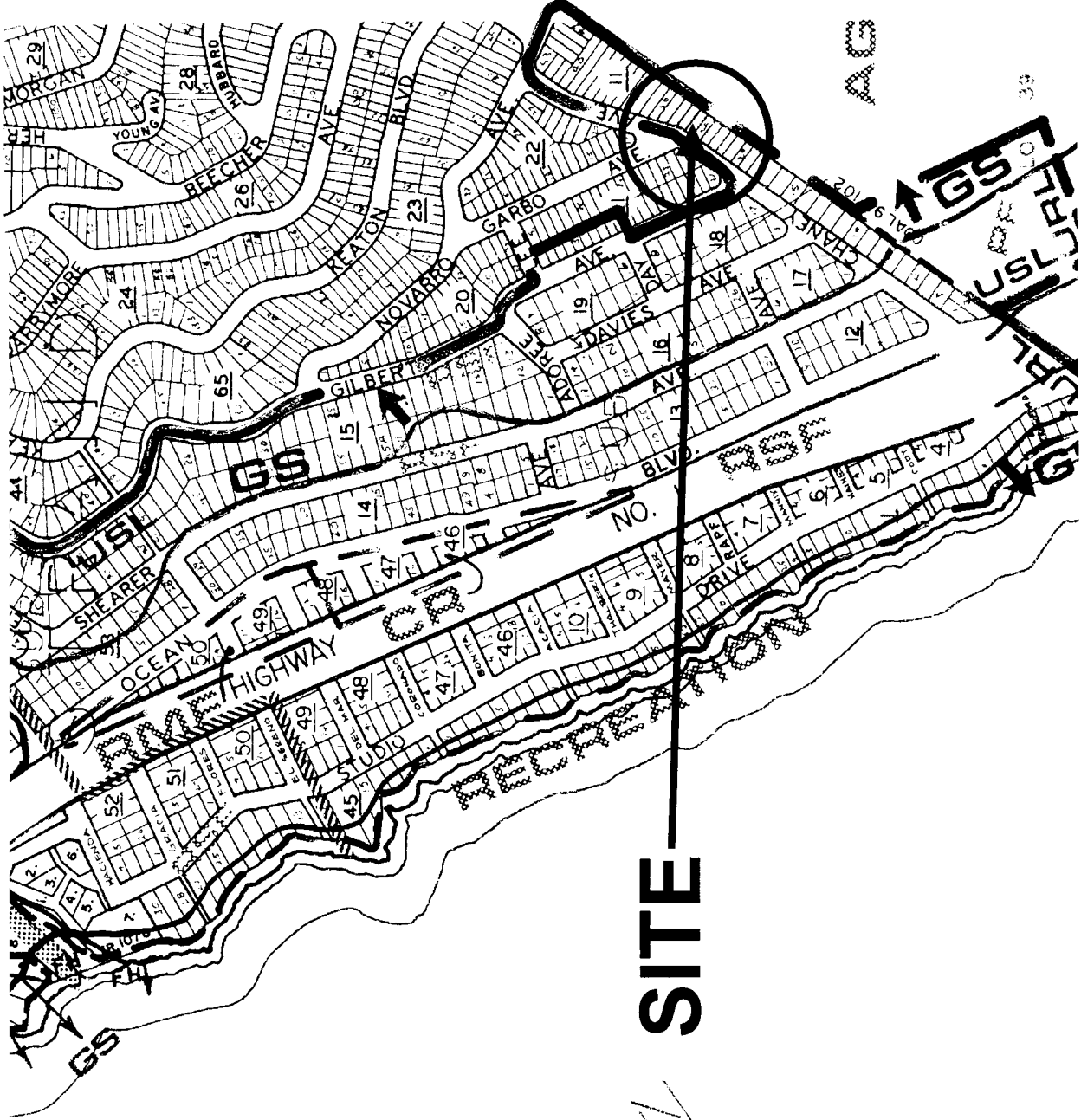


**EXHIBIT**

### Vicinity Map

3-19

SAN LUIS OBISPO COUNTY DEPARTMENT OF BUILDING AND PLANNING



PROJECT

Variance

Davis DRC2003-00062

EXHIBIT

Land Use Category



3.20



**SITE**

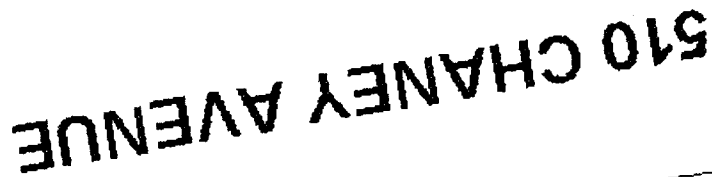
**PROJECT**

Variance  
Davis DRC2003-00062

**EXHIBIT**

Aerial





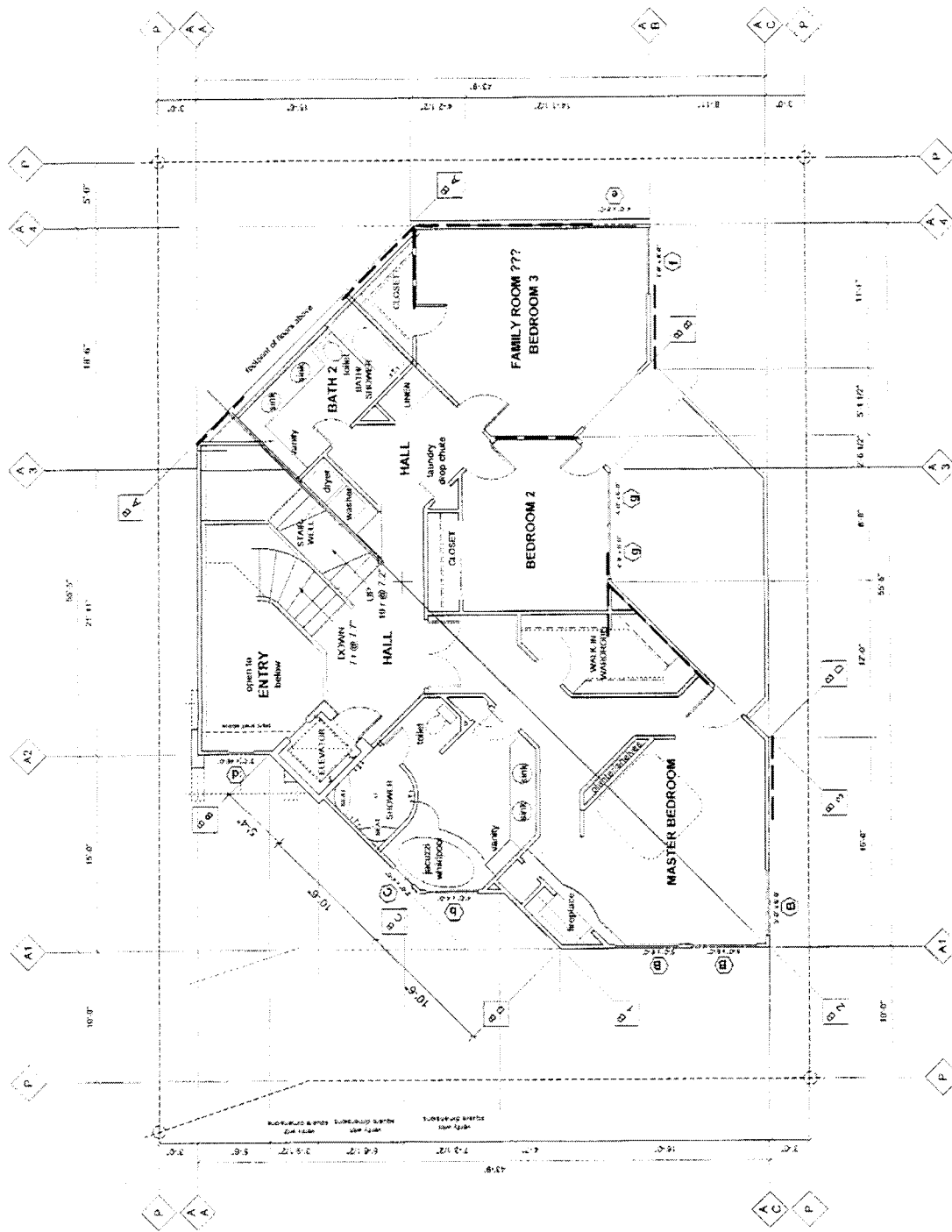
## **DIMENSIONED SITE PLAN**

LAWRENCE J. MURPHY AND J. W. BEEBEER

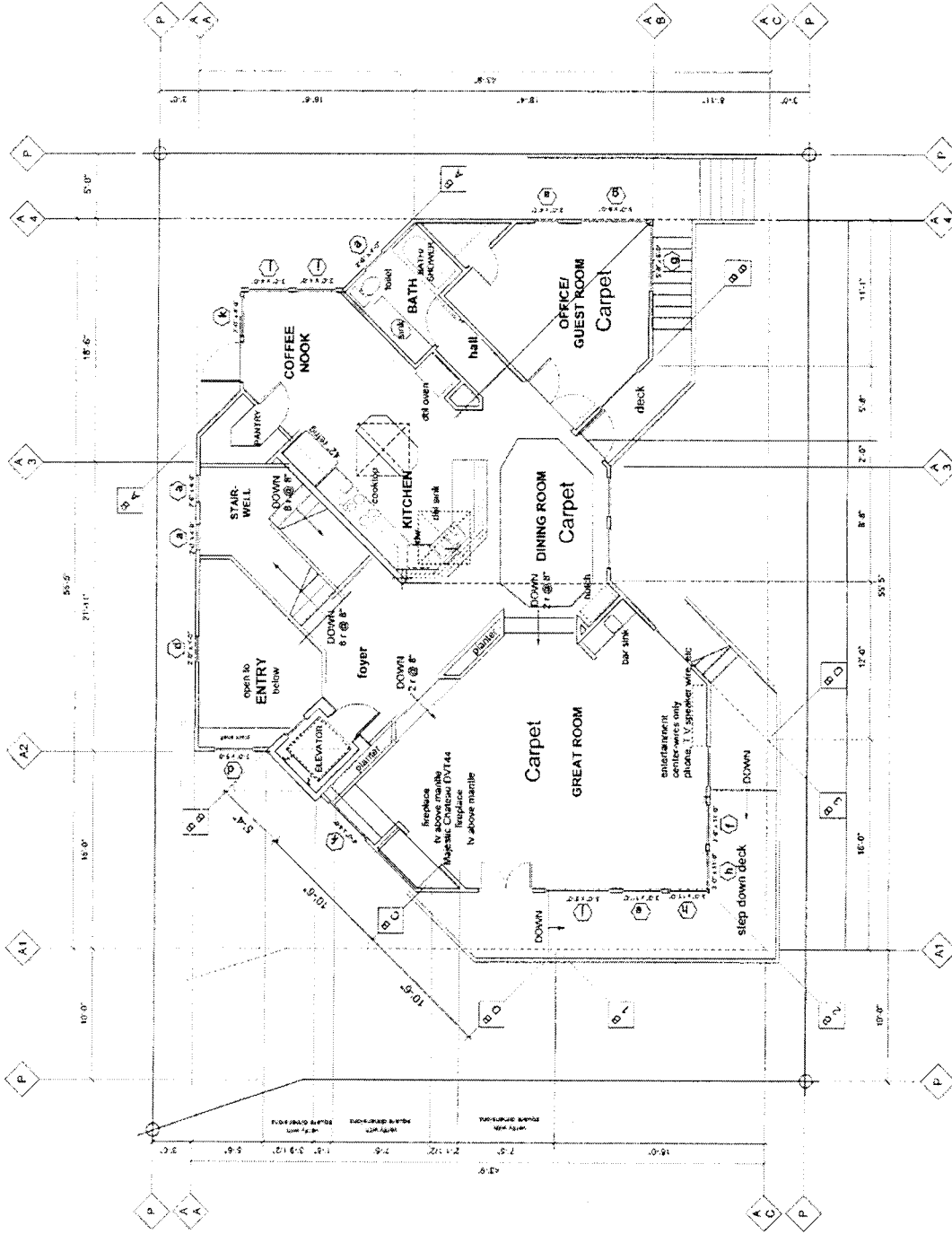


Davis DRC2003-00062

## First Floor Plan



3-24



PROJECT

Variance

Davis DRC2003-00062

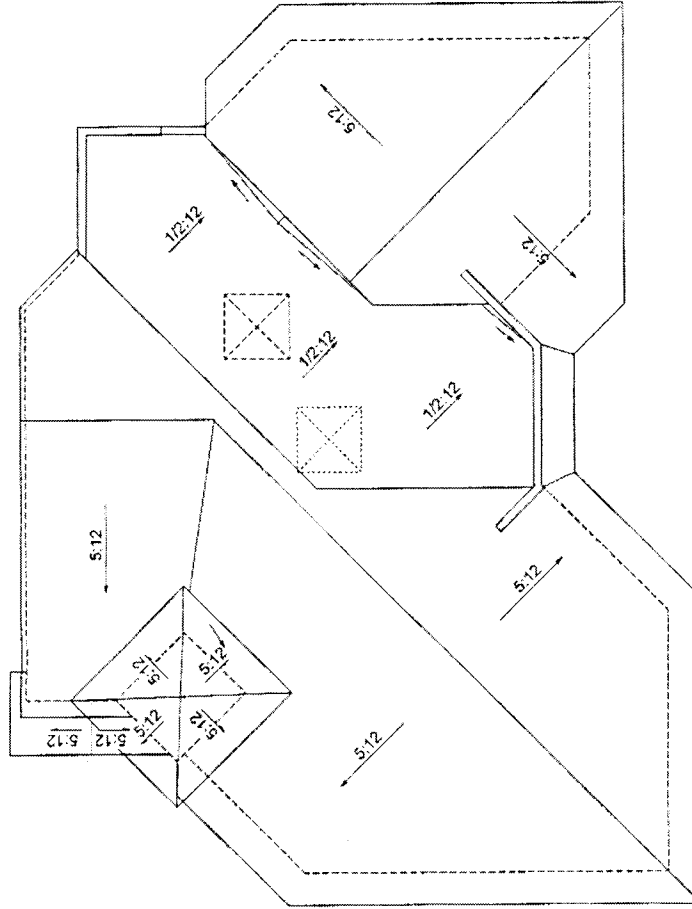
EXHIBIT

Third Floor Plan





3-25



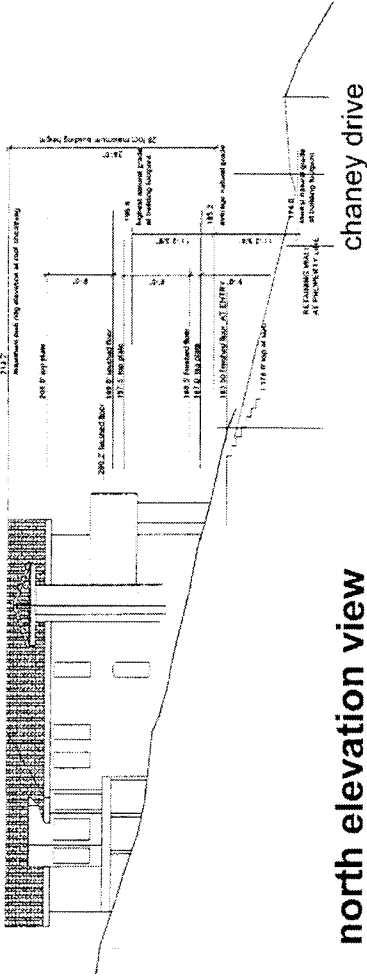
EXHIBIT



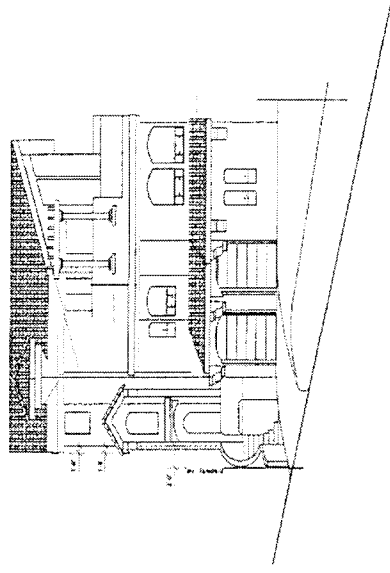
PROJECT

Variance

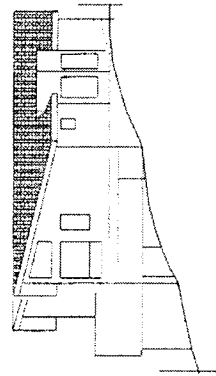
Davis DRC2003-00062



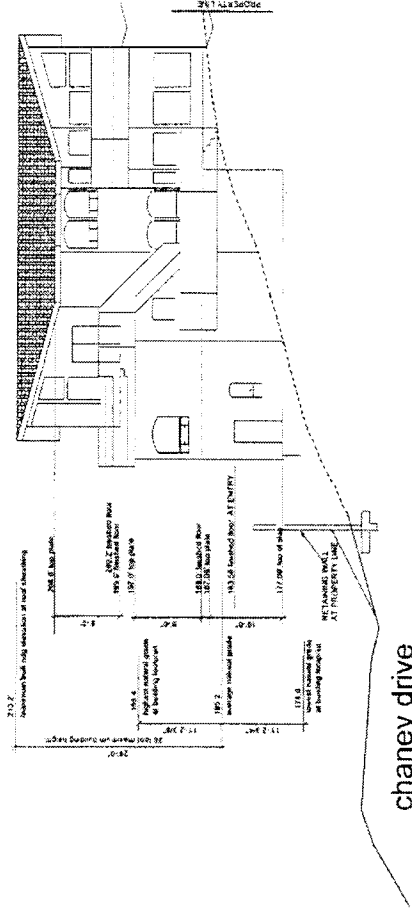
north elevation view



west elevation view



east elevation view



south elevation view

PROJECT

Variance  
Davis DRC2003-00062

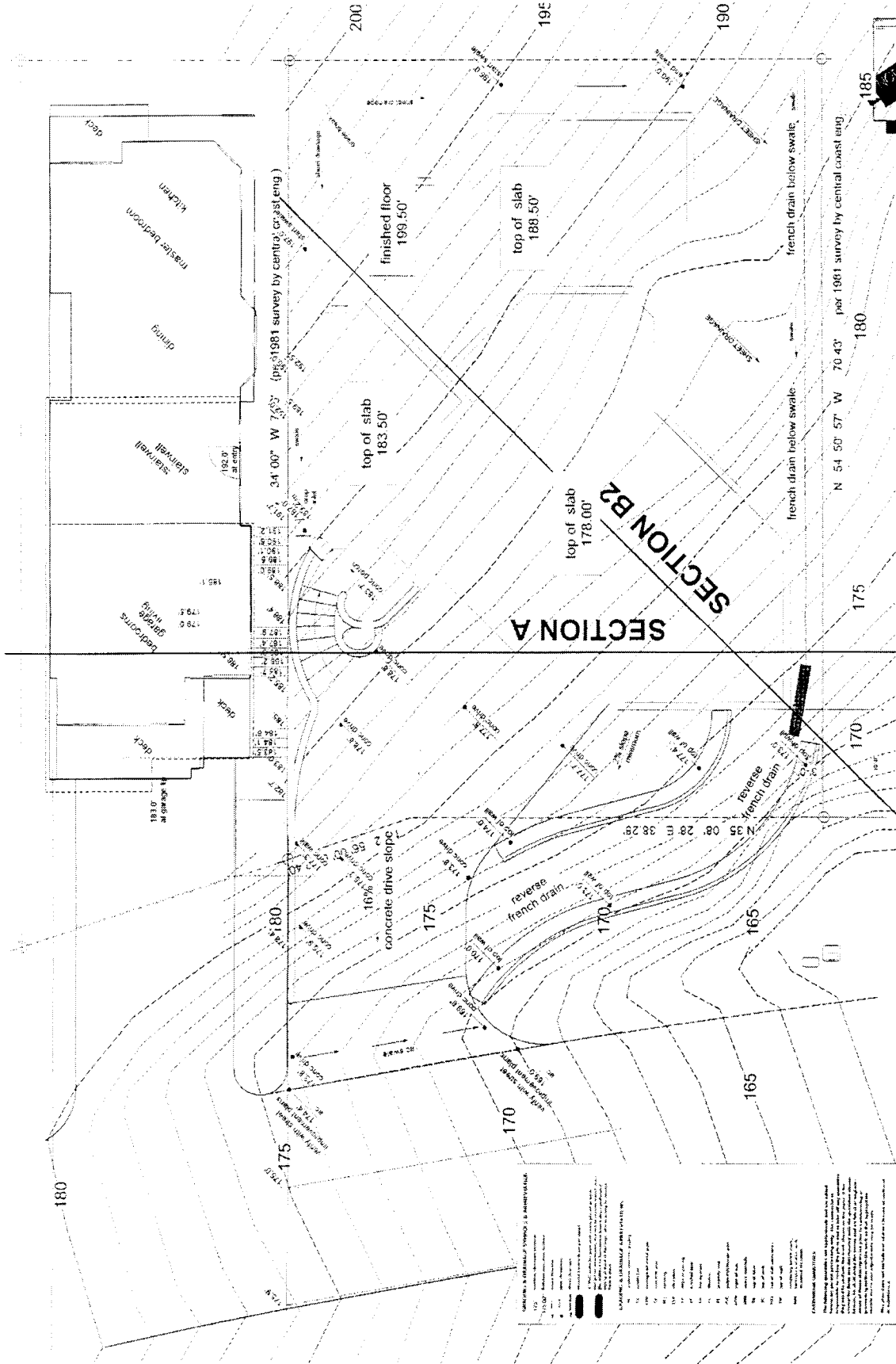
EXHIBIT

Elevation



3.26

3.27



PROJECT

Variance  
Davis DRC2003-00062



EXHIBIT

Conceptual Grading Plan

[illegible]

# PLANTING KEY



rosea iceplant - *Drosanthemum floribundum*



Juniperus horizontalis 'Bar Harbor'



Common Thrift - *armeria maritima* - flats - clusters



Mock Heather - *Haplopappus ericoides*



Velvet Sage - *Salvia leucantha*



Pride of Madeira - *Echium fastuosum* - 5 gallon



Passion Fruit - *Passiflora edulis* - 5 gallon



Passion Fruit - *Passiflora incense* - 5 gallon



Shore Juniper - *juniperus conferta* - 5 gallon



Tree Aloe - *Aloe arborescens* - 15 gallon



White Rockrose - *Cistus x hybridus*



Blue Fescue - *Festuca glauca*



Spanish Lavender - *Lavandula stoechas*



Beard tongue - *Penstemon digitalis*



Octopus Agave - *Agave victoriae-reginae*



Woolly Yarrow - *Achillea tomentosa*



Jerusalem Thorn - *Parkinsonia aculeata*



Coast Live Oak - *Quercus agrifolia*

MW

Cayucos

Land Use Committee

3-30

MEMO

TO: Tammy Seale  
FROM: Mary Ann Carnegie *MAC* 995-3659 or email ecarnegi@calpoly.edu  
DATE: 4/06/05  
RE: Tom Davis DRC2003-00062 apn064-404-011  
510 Chaney..

This is as a follow-up report from the original project referral of 4/10/04 in which several concerns were expressed.

This project is on a steep hillside and thus is as a variance for a SFR with attached garage on a slope over 30%.

Concerns.

The revised project seems to have taken care of the major concern from the Cayucos LUC regarding the front setback. It was originally for only five feet, but has now come into conformance with the Estero Area Plan of following the minimum of ten feet.

The other concern was for what is or will be done for **road improvements** on Chaney as is required per **fire dept.'s minimal requirements** on this road. Though this is not something the Land Use Committee can enforce it just wants to make sure that this issue will be fully reviewed by the proper agencies (i.e. Cayucos Fire Dept.) this was a concern brought out in 2004 by concerned neighbors in and around the area, because as they stated "As more and more homes are being constructed there, the road doesn't seem to adequately support the ability for emergency vehicles to turn around—no hammerhead is there yet, nor shown on any drawings thus far by this or any other homes on Chaney which is a dead end street." Minimum road standards for acceptable Cayucos Fire Protection do not seem to be indicated; i.e. minimum road width of 20 ft., "on street" parking to be included as a requirement during the permitting process is strongly encouraged, (has this been done?) turn-a-rounds will be required on any dead-end roads exceeding 150 ft., and all of these are to built to SLO Co. Engineering Dept. standards.

The other major concern expressed then and still is in regards to **Drainage** on this steep hillside, and with its location directly in-front of Gilbert. The concern is that the increased (cumulative) amount of drainage would magnify the already sensitive issue there. Again it is the concern of the CUMULATIVE affects of drainage on steep hillsides as the number of homes on Chaney are increasing. Again this is something that the committee just wants to make sure will be reviewed in great detail.

The deminsioned site plan submitted as the revised referral was still hard to determine what is really being proposed for this project now, but the committee felt that the setbacks were all being followed and just wants to make sure that a height verification of 28 ft. is followed. The other concern was to make sure that NO wall would exceed the 22 height face plate. If so, it was recommended that belly boards , articulation or other means to break up the massiveness would be encouraged. Otherwise the project was thought to meet all standards and guidelines for steep hillsides and for the Estero Area Plan. It was approved as is per the LUC and would not have to go before the full advisory council.

Respectfully Submitted,

Mary Ann Carnegie  
Chair, Land Use Committee  
Cayucos Advisory Council  
995-3659

3-31



Tim  
Tomlinson/PubWorks/COSLO  
12/12/2005 12:02 PM

To Mike Wulkan/Planning/COSLO@Wings  
cc  
bcc  
Subject DRC2003-00062 Davis

The retaining walls should be relocated to not be within 10' of the existing paved roadway edge. The driveway approach should be asphalt within 10' of the existing paved roadway edge. His drainage plan may need additional detail, it can be addressed at the plan submittal stage.

Tim Tomlinson  
805 781-5271

"Bridges prohibit the progress they promote"

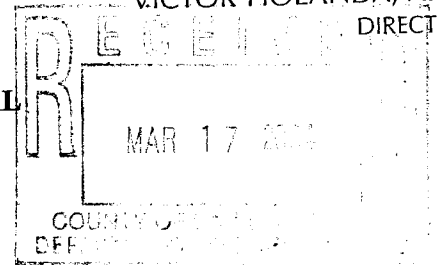


3-32 SAN LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING

RH

VICTOR HOLANDA, AICP  
DIRECTOR

THIS IS A NEW PROJECT REFERRAL



DATE:

March 17, 2004

FROM

Public Works Team  
Coastal Commission

FROM:

(Please direct response to the above)

DEC 2003-00062/DAVIS  
Project Name and Number

Development Review Section (Phone: 781-788-2009)

PROJECT DESCRIPTION:

SFD w/attached garage

Return this letter with your comments attached no later than:

March 31, 2004

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES  
☐ NO

(Please go on to Part II)

(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO  
☐ YES

(Please go on to Part III)

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

RECOMMEND Approval - grading & drainage plan to include erosion/sedimentation control plan. Road improvements, if any, per Fire Dept.  
Pryor's Arch Seal STATES "... RENEWAL 4-30-99 ..." EXPIRED? IS HE STILL A LICENSED Arch?

22 Apr 2004  
Date

Goodwin  
Name

5252  
Phone





# 3-33

## SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP  
DIRECTOR

### THIS IS A NEW PROJECT REFERRAL

DATE: 2/28/2005  
TO: CAYUCOS FIRE DEPT  
FROM: Tammy Seale, 781-1162  
(Please direct response to the above)

**DAVIS**

DRC 2003-0068

Project Name and Number

Development Review Section (Phone: 781-788-2009) \*OR ASK THE SWITCH-BOARD FOR THE PLANNER

PROJECT DESCRIPTION: Variance to construct 3020<sup>SF</sup> single family dwelling on Chaney Ave in Cayucos on a greater than 30% slope. Please provide comments or verify that comments in attached 1997 letter still apply. Thank you!

Return this letter with your comments attached no later than: March 11, 2005

**PART I** IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

       YES (Please go on to Part II)  
       NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

**PART II** ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

       NO (Please go on to Part III)  
       YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

**PART III** INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

ROAD IMPROVEMENT HAVE BEEN MADE (BUT NOT YET ACCEPTED BY PUBLIC WORKS) AND AN ADDITIONAL FIRE HYDRANT HAS BEEN ADDED AT CHANEY & GILBERT. PROJECT OVER 3600 SQ. FT. WILL NEED TO BE FIRE SPRINKLERED (NFPA 13 D).

3-12-05  
Date

BILL RADKE  
Name

995-3372  
Phone

P. 1  
DBird

# 3-34

## SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

MAR - 4 2005

VICTOR HOLANDA, AICP  
DIRECTOR

## THIS IS A NEW PROJECT REFERRAL

DATE:

2/28/05

TO: From:

~~Robles Water~~ County of SLO  
 CSA 10A
DOUBLE BIRD  
PW - 1st FL

FROM:

TO:

Tammy Seale, 781-1162

(Please direct response to the above)

DRC 2003-00062

Project Name and Number

Development Review Section (Phone: 781-788-2009)

\*OR ASK THE SWITCH-  
(BOARD FOR THE PLANNED)

PROJECT DESCRIPTION:

PLEASE PROVIDE AN UPDATED WILL SERVE LETTER OR  
VERIFY THE VALIDITY OF THE ATTACHED 1997 LETTER.

Thank you!

(\*APPLICANT MAY HAVE REQUESTED AS WELL)

Return this letter with your comments attached no later than:

March 11, 2005

## PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒

YES

(Please go on to Part II)

☐

NO

(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

## PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒

NO

(Please go on to Part III)

☐

YES

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

## PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

The attached will-serve letter is valid - Their water  
meter is installed + active already.

3/10/05

Date

Courtney Howard

Name

781-1016

Phone

# SAN LUIS OBISPO COUNTY

## ENGINEERING DEPARTMENT

3-35

COUNTY GOVERNMENT CENTER • ROOM 207 • SAN LUIS OBISPO, CALIFORNIA 93408

TIMOTHY P. NANSON  
COUNTY ENGINEER

GLEN L. PRIDDY  
DEPUTY COUNTY ENGINEER  
ENGINEERING SERVICES

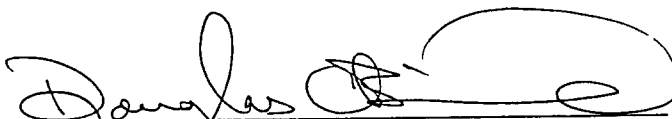
NOEL KING  
DEPUTY COUNTY ENGINEER  
ADMINISTRATION

PHONE (805) 781-5252 • FAX (805) 781-1229



ROADS  
SOLID WASTE  
FRANCHISE ADMINISTRATION  
WATER RESOURCES  
COUNTY SURVEYOR  
SPECIAL DISTRICTS

DISTRICT CSA No. 10A IS WILLING AND ABLE TO PROVIDE WATER SERVICE TO ASSESSORS PARCEL NUMBER 064-404-011, LOTS 26 AND 27, BLOCK 11 LOCATED IN THE COMMUNITY OF CAYUCOS, SUBJECT TO ALL FEES AND CONDITIONS OF THE RULES AND REGULATIONS OF THE DISTRICT, AND SUBJECT TO AN APPROVED FIRE SAFETY PLAN AND COMPLIANCE WITH UNIFORM FIRE CODE REQUIREMENTS OF THE LOCAL FIRE PROTECTION AGENCY. FEES AND CHARGES IN EFFECT AT TIME OF CONNECTION TO BE PAID IN FULL PRIOR TO INSTALLATION OF WATER METERS.

  
SIGNATURE

HYDRAULIC OPERATIONS ADMINISTRATOR  
TITLE

August 5, 1997  
DATE

WPL # 22  
B932257

**3-36**

DUGGAN SMITH & HUTKIN LLP  
ATTORNEYS AT LAW  
979 Osos Street, Suite F  
Post Office Box 15139  
SAN LUIS OBISPO, CALIFORNIA 93406  
(805) 546-2060  
Fax (805) 546-8865

## FAX COVER SHEET

FAX NUMBER TRANSMITTED TO: 805-781-1242

To: Mike Wulkan, Coastal Planning & Permitting  
From: Marilyn Morris  
Date: November 23, 2005

DOCUMENTS	NUMBER OF PAGES*
Correspondence and enclosures	4

COMMENTS:

### NOTICE

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\* NOT COUNTING COVER SHEET. IF YOU DO NOT RECEIVE ALL PAGES OR IF YOU HAVE RECEIVED THIS FAX IN ERROR, PLEASE TELEPHONE US IMMEDIATELY AT (805) 546-2060.

3-37

THOMAS M. DUGGAN  
LINDA SOMERS SMITH  
MARIA L. HUTKIN

Of Counsel  
RICHARD N. RACOUILLAT

DUGGAN SMITH & HUTKIN LLP  
ATTORNEYS AT LAW  
979 Osos Street, Suite F  
Post Office Box 15139  
SAN LUIS OBISPO, CALIFORNIA 93406  
(805) 546-2060  
Fax (805) 546-8865

November 21, 2005

Mike Wulkan  
Coastal Planning & Permitting  
San Luis Obispo County  
County Government Center  
San Luis Obispo, CA 93408

Via Facsimile # 805-781-1242

Re: *Chaney Avenue Improvement*  
*APN 064 404 011, Tom Davis*

Dear Mr. Wulkan:


Pursuant to our telephone conversations, attached are the documents I discussed which show the agreement between Tom Davis and our client, John Imandoust, with respect to shared responsibility for the road improvement.

It is our understanding that Mr. Davis obtained approval to build in 2003 on condition that he improve Chaney Avenue. He waited to apply for new permits and approvals until now and the road improvements have been completed by our client, in reliance on Mr. Davis's promise to contribute \$27,053.00, as a condition of his building approval.

If you have any questions, please contact this office.

Sincerely,

DUGGAN SMITH & HUTKIN LLP

  
MARILYN J. MORRIS  
Paralegal

enclosures

M:\Client Files\1 Client Files\Imandoust\Letters\Wulkan112105.wpd

01 Nov. 23. 2005 11:58AM 37555669

COHN&EAD

No. 5627 P. 3  
PAGE 15

01/23/05 SUN 12:28 FAX 805 8 3249  
From: Tom Davis  
Fax: +1(760)728 0123

McCOLLOCH

3-38

005

To: MEL MCCULLOCH

Fax: (805)8273248

Page 2 of 2 Thursday, December 11, 2003 8:46 AM

15/15

John Imadour  
331 Stevens Ave. West  
Ste. C  
Solana Beach, Calif. 92075  
Tel. (858)792-6056

Re: Chaney Ave. Improvements  
Agreement. Cuyucos, Calif

Nov. 24, 2003

Mr. Tom Davis  
4202 La Canada Road  
Fallbrook, Calif. 92028

Dear Tom

This letter is to confirm our telephone conversation, and verbal agreement on Nov. 21<sup>st</sup> 2003 regarding your participation in the Chaney Ave. road improvements required to complete by the county on Chaney Avenue from Davies Street (Cuyucos) terminating at our residence.

You agree to pay your share of the road improvement costs which would be \$27,053.00 subject to, and at the time of your conditional approval ~~for your CDP~~ from the county of San Luis Obispo. *12/1/03*

It was also agreed that I would take care of all the improvements on Chaney Avenue and you would pay the \$27,053.00 to me direct at the time of ~~your CDP approval~~. *12/1/03*

Please sign the enclosed agreement and return to me so I may proceed with my financing to take care of the road improvements.

Thank You for consideration in this matter.

Sincerely

by Mel McCulloch - Agent  
John Imadour

Date 11/24/03

*Tom Davis*  
Tom Davis

Date 12/2/03

*In the event the Davis Property on Chaney Street is sold prior to a Building Permit being issued, the payment of \$27,053.00 will be paid at the time escrow closes on that property. *12/2/03**

Received Time Jan. 24. 11:50AM

3-39

From: Tom Davis

Fax: +1(760)728 0123

To: JOHN IMANDOUST

Fax: (858)755-5669

Page 1 of 2 Wednesday, December 03, 2003 12:41 PM

4/15

**FAX**

**Date:** Wednesday, December 03, 2003

**Pages including cover sheet:** 2

<b>To:</b>	JOHN IMANDOUST
<b>Phone</b>	
<b>Fax Phone</b>	(858)755-5669

<b>From:</b>	Tom Davis
	mycompany
	4202 La Canada Road
	Fallbrook
	Ca 92028
<b>Phone</b>	+1(760)728 0123
<b>Fax Phone</b>	+1(760)728 0123

**NOTE:**

John

Attached is marked up copy of the agreement Mel sent to me. I hope this is satisfactory to you. Please let me know. By the way, my fax works off the same line as my telephone, therefore, if you want to fax me, I need to know before-hand so that the fax rather than my wife or I answers the ring.

Have a good day... I'm golfing tomorrow in Dana Point!

Tom

01/23/05 SUN 12:25 FAX 805 827 1249

McCOLLOCH

3-40

004

FROM : Tierney Construction  
From: Tom Davis Fax: +1(760)728 0123FAX NO. : 805-927-2949  
To: Tierney Construction Fax: 1805-927-2949Nov. 24 2003 07:18PM PS  
Page 1 of 1 Tuesday, February 04, 2003 10:12 AM

14/15

**FAX**

Date: Tuesday, February 04, 2003

Pages including cover sheet: 1

<b>To:</b>	Tierney Construction
<b>Phone</b>	
<b>Fax Phone</b>	(805)927 2949

<b>From:</b>	Tom Davis
	mycompany
	4202 La Canada Road
	Fallbrook
	Ca 92028
<b>Phone</b>	+1(760)728 0123
<b>Fax Phone</b>	+1(760)728 0123

**NOTE**

Tom Tierney

I am the owner of the lot on Chaney below the Imardoust property in Cayucos. John Pryor who designed the house for my lot informed me that you are the contractor for Imardoust and that Imardoust is proceeding.

Over the last several years I have corresponded with Mr. Miles regarding cooperating on the road requirements for our lots. By the way, is Miles still involved? Although I still need to get my permit extensions, I am prepared to do something jointly with Imardoust, or, for that matter with any others in the neighborhood so inclined. My permit is scheduled for review and hopefully approval by the Planning Commission on Feb 25th.

You can contact me at (760) 728 0123 or Email at tdavis5166@aol.com. Return FAX doesn't work because my telephone and my FAX use the same line and I have to know the FAX is coming in in order to let the FAX answer. John Pryor's number is (805) 341 2120.

Tom Davis





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## COUNTY OF SAN LUIS OBISPO

FOR OFFICIAL USE ONLY (MW)

### MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION

ENVIRONMENTAL DETERMINATION NO. ED05-061

DATE: February 2, 2006

PROJECT/ENTITLEMENT: Davis Variance /Coastal Development Permit (DRC2003-00062)

APPLICANT NAME: Davis, Tom

ADDRESS: 4202 La Canada Rd., Fallbrook, Ca 92028

CONTACT PERSON: Pryor, John

Telephone: 805-541-5130

**PROPOSED USES/INTENT:** Request by Thomas Davis for a Variance/Coastal Development Permit to allow grading on slopes in excess of 30 percent for development of an approximately 3,825 square-foot, three-story single family dwelling, including an approximately 950 square-foot garage/workshop on the lower level, plus decks. The project will result in the disturbance of approximately 3,000 square feet of an approximately 3,600 square-foot parcel. The proposed project is within the Residential Single Family land use category.

**LOCATION:** The project is located at 510 Chaney Avenue (southeast side), approximately 250 feet northeast of Gilbert Avenue, in the community of Cayucos. The site is in the Estero Planning Area.

**LEAD AGENCY:** County of San Luis Obispo Department of Planning & Building  
County Government Center, Rm. 310  
San Luis Obispo, CA 93408-2040

**OTHER POTENTIAL PERMITTING AGENCIES:** None

**ADDITIONAL INFORMATION:** Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

**COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT** ..... 5 p.m. on February 22, 2006

**20-DAY PUBLIC REVIEW PERIOD begins at the time of public notification**

#### Notice of Determination

State Clearinghouse No.

This is to advise that the San Luis Obispo County \_\_\_\_\_ as ☐ *Lead Agency*  
☐ *Responsible Agency* approved/denied the above described project on \_\_\_\_\_, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,  
County Government Center, Room 310, San Luis Obispo, CA 93408-2040

County of San Luis

Obispo

Signature

Title

Date

Public Agency



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COUNTY OF SAN LUIS OBISPO  
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST

Project Title & No. Davis Variance/Coastal Development Permit,  
ED 05-061/DRC2003-00062

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:** The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Aesthetics                        | <input checked="" type="checkbox"/> Geology and Soils           | <input type="checkbox"/> Recreation                 |
| <input checked="" type="checkbox"/> Agricultural Resources | <input checked="" type="checkbox"/> Hazards/Hazardous Materials | <input type="checkbox"/> Transportation/Circulation |
| <input checked="" type="checkbox"/> Air Quality            | <input type="checkbox"/> Noise                                  | <input type="checkbox"/> Wastewater                 |
| <input type="checkbox"/> Biological Resources              | <input type="checkbox"/> Population/Housing                     | <input type="checkbox"/> Water                      |
| <input type="checkbox"/> Cultural Resources                | <input checked="" type="checkbox"/> Public Services/Utilities   | <input type="checkbox"/> Land Use                   |

**DETERMINATION:** (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Mike Wulkan

Prepared by (Print)

*Mike Wulkan*  
Signature

January 20, 2006

Date

*Jeff Oliveira*  
Reviewed by (Print)

*Jeff Oliveira*  
Signature

Ellen Carroll,  
Environmental Coordinator  
(for)

*1/26/06*  
Date

**Project Environmental Analysis**

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

**A. PROJECT**

**DESCRIPTION:** Request by Thomas Davis for a Variance/Coastal Development Permit to allow grading on slopes in excess of 30 percent for development of an approximately 3,825 square-foot, three-story single family dwelling, including an approximately 950 square-foot garage/workshop on the lower level, plus decks. The project will result in the disturbance of approximately 3,000 square feet of an approximately 3,600 square-foot parcel. The proposed project is within the Residential Single Family land use category and is located on the southeast side of Chaney Avenue (at 510 Chaney Avenue), approximately 250 feet northeast of Gilbert Avenue, in the community of Cayucos. The site is in the Estero planning area.

ASSESSOR PARCEL NUMBER(S): 064-404-011

SUPERVISORIAL DISTRICT # 2

**B. EXISTING SETTING**

PLANNING AREA: Estero, Cayucos

LAND USE CATEGORY: Residential Single Family

COMBINING DESIGNATION(S): Geologic Study, Local Coastal Plan/Program

EXISTING USES: Undeveloped

TOPOGRAPHY: Steeply sloping

VEGETATION: Grasses , forbs, scattered shrubs

PARCEL SIZE: 3,600 square feet

SURROUNDING LAND USE CATEGORIES AND USES:

*North:* Residential Single Family; residential

*East:* Agriculture; undeveloped

*South:* Residential Single Family; undeveloped, residential

*West:* Residential Single Family; undeveloped, residential

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## C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

### COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

1.	<b>AESTHETICS - Will the project:</b>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	Create an aesthetically incompatible site open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Introduce a use within a scenic view open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Change the visual character of an area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create glare or night lighting, which may affect surrounding areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Impact unique geological or physical features?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project will be visible from Highway 1, but the view will be in the context of surrounding homes--some nearby homes of similar scale--in an urban area. The project will not silhouette against any ridgelines as viewed from public roadways. The project is considered compatible with the surrounding uses, and will not interfere with public views to and along the coast.

**Impact.** No significant visual impacts are expected to occur.

**Mitigation/Conclusion.** No mitigation measures are necessary.

2.	<b>AGRICULTURAL RESOURCES - Will the project:</b>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	Convert prime agricultural land to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Impair agricultural use of other property or result in conversion to other uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Conflict with existing zoning or Williamson Act program?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Other: <u>Potential agriculture/urban land use conflicts</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The soil types include: Los Osos-Diablo complex, (30 - 50% slope). As described in the Natural Resource Conservation Service Soil Survey, the "non-irrigated" soil class is "VI," and the "irrigated" soil class is "NA." The adjacent property to the east and southeast is an approximately 250-acre parcel that is included in the Agriculture land use category and used for grazing.

**Impact.** The project is located in an urban area with no agricultural activities occurring on the property. A grazing operation is located on the adjacent rural property to the east and southeast. The project is within the Cayucos urban reserve and urban services lines, and is consistent with established, compatible residential development along the urban/rural boundary on Chaney Avenue. However, there is a potential for conflicts to occur between existing and potential agricultural operations and abutting residential development due to dust, noise, odors, and agricultural chemicals.

**Mitigation/Conclusion.** By disclosing the effects of existing and potential agricultural operations and the county's Right-to-Farm ordinance upon future sale of the property, any potential impacts due to conflicts between agriculture and urban development will be mitigated to a level of insignificance.

<b>3. AIR QUALITY - Will the project:</b>		<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
a)	<b><i>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</i></b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	<b><i>Expose any sensitive receptor to substantial air pollutant concentrations?</i></b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	<b><i>Create or subject individuals to objectionable odors?</i></b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	<b><i>Be inconsistent with the District's Clean Air Plan?</i></b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	<b><i>Other:</i></b> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The Air Pollution Control District (APCD) has developed the CEQA Air Quality Handbook to evaluate project-specific impacts and to help determine if air quality mitigation measures are needed, or if potentially significant impacts could result. To evaluate long-term emissions, cumulative effects, and establish countywide programs to reach acceptable air quality levels, a Clean Air Plan has been adopted (prepared by APCD). According to County Geologist, the project site could contain naturally occurring asbestos.

**Impact.** As proposed, the project will result in the disturbance of approximately 3,000 square feet. This will result in the creation of construction dust, as well as short- and long-term vehicle emissions. Based on Table 1-1 of the CEQA Air Quality Handbook, the project will result in less than 10 lbs./day of pollutants, which is below thresholds warranting any mitigation. The project is consistent with the general level of development anticipated and projected in the Clean Air Plan. No significant air quality impacts are expected to occur.

The State Air Resources Board considers asbestos a toxic air contaminant. Site-specific testing has not been performed for naturally occurring asbestos. If asbestos is present within the soil underlying the project site, future grading and site disturbance activities would release the asbestos into the air, resulting in a potentially significant air quality impact.

**Mitigation/Conclusion.** In the absence of site-specific testing for naturally occurring asbestos, the County Geologist recommends that prior to grading or site disturbance, the applicant comply with Asbestos Air Toxics Control Measures for Construction, Grading, Quarrying, and Surface Mining Operations. These measures include, but are not limited to implementation of an Asbestos Dust Mitigation Plan approved by the Air Pollution Control District, as well as an Asbestos Health and Safety Program if determined necessary by the Air Pollution Control District (see attached Developer's Statement). Compliance with those requirements will reduce potential air quality impacts from release of asbestos to a level of insignificance. No other mitigation measures are necessary.

<b>4. BIOLOGICAL RESOURCES -</b> <b><i>Will the project:</i></b>	<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
a) <b><i>Result in a loss of unique or special status species or their habitats?</i></b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <b><i>Reduce the extent, diversity or quality of native or other important vegetation?</i></b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <b><i>Impact wetland or riparian habitat?</i></b>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <b><i>Introduce barriers to movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?</i></b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <b><i>Other:</i></b> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The following habitats were observed on the proposed project: Grasses, forbs, and scattered shrubs. Based on the latest California Diversity database and other biological references, the following species or sensitive habitats were identified:

**Plants:** Jones's layia (*Layia jonesii*); San Luis Obispo serpentine dudleya (*Dudleya abramsii* bettinae) app. 0.1 miles southeast of the property, and 0.8 miles east of the property;

**Wildlife:** Morro shoulderband (=banded dune) snail (*Helminthoglypta walkeriana*) app. 0.4 miles south of the property; western snowy plover (*Charadrius alexandrinus nivosus*) app. 0.5 miles south of the property; south/central California coast steelhead (*Oncorhynchus mykiss irideus*) app. 0.7 miles south of the property; southwestern pond turtle (*Emys* (=Clemmys) *marmorata pallida*) app. 0.5 miles southeast of the property, 0.5 miles north of the property, 0.5 miles northwdst of the property, and 1.0 mile northwest of the property; monarch butterfly (*Danaus plexippus*) app. 0.5 miles south of the property; tidewater goby (*Eucyclogobius newberryi*) app. 0.5 miles south of the property, and 1.0 mile north of the property; California red legged frog (*Rana aurora draytonii*) app. 0.8 miles east of the property

**Habitats:** Located within potential California red legged frog (*Rana aurora draytonii*) habitat

**Impact.** The project site does not support any sensitive native vegetation, significant wildlife habitats, or special status species.

**Mitigation/Conclusion.** No significant biological impacts are expected to occur, and no mitigation measures are necessary.

## 5. CULTURAL RESOURCES -

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb pre-historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Disturb paleontological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other: _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project is located in an area historically occupied by the Obispeno Chumash and Salinan. The site is not located within an "Archaeologically Sensitive" combining designation. No historic structures are present and no paleontological resources are known to exist in the area.

**Impact.** The project is not located in an area that would be considered culturally sensitive, as it is located outside the Archaeologically Sensitive combining designation and lacks physical features typically associated with prehistoric occupation. The site is not located near a stream and is situated on steep slopes. Impacts to historical or paleontological resources are not expected.

**Mitigation/Conclusion.** No significant cultural resource impacts are expected to occur, and no mitigation measures are necessary.

## 6. GEOLOGY AND SOILS -

*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a California Geological Survey "Alquist-Priolo Earthquake Fault Zone"?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6. <b>GEOLOGY AND SOILS -</b> <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** GEOLOGY - The topography of the project is steeply sloping, with slopes between 33 and 41 percent. The area proposed for development is within the Geologic Study Area designation. The landslide risk potential is considered high. The liquefaction potential during a ground-shaking event is considered low. Active faulting is known to exist on or near the subject property approximately 0.1 miles northeast of the property. The project is not within a known area containing serpentine or ultramafic rock or soils.

Any project within the Geologic Study area designation or within a high liquefaction area is subject to the preparation of a geological report per the County's Coastal Zone Land Use Ordinance (CZLUO) Section 23.07.084 to evaluate the area's geological stability relating to the proposed use. Geologic and soils engineering reports have been prepared [Earth Systems Consultants Northern California, June 12, 1997; Geosolutions LLC, November 17, 1997; Earth Systems Pacific, June 4, 2004 and follow-up reports; Earth Systems Consultants Northern California, June 2, 1994 and Earth Systems Pacific, December 20, 2004]. In addition, the soil engineering report update received third party review, and the County Geologist reviewed geologic and related information.

**DRAINAGE** – The area proposed for development is outside the 100-year Flood Hazard designation. The closest creek (Willow Creek) from the proposed development is approximately 0.5 miles to the north. As described in the Natural Resource Conservation Service Soil Survey, the soil's drainage is unknown. For areas where drainage is identified as a potential issue, the CZLUO (Sec. 23.05.042) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows. A cumulative drainage study was prepared for Chaney Avenue, including the project site (Terry Orton, November 1997).



**SEDIMENTATION AND EROSION** – The soil types include: Los Osos-Diablo complex, (30 - 50% slope). As described in the NRCS Soil Survey, the soil surface is considered to have unknown erodibility and unknown shrink-swell characteristics. According to the soil engineering report prepared by Earth Systems Pacific, December 2004, the soils are erodible, and are in the “medium” expansion category.

When highly erosive conditions exist, a sedimentation and erosion control plan is required (CZLUO Sec. 23.05.036) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension that monitors this program.

**Impact.** As proposed, the project will result in the disturbance of approximately 3,000 square feet. Geology and soils and engineering reports have been prepared and reviewed. The major conclusions include the following:

- The site is within an area that is subject to unstable slopes and underlain by landslides and Franciscan Mélange, according to the *Safety Element* of the County General Plan. Relatively large, recent and active landslides have occurred on the hillsides located east and west of the site.
- The site is grossly stable with regard to bedrock landsliding. The Chaney Ave. landslide to the east and the landslide to the west will not affect the proposed development. A sandstone block provides stability to this site. This was confirmed by a boring on this site that found slightly hard to moderately hard sandstone bedrock at a depth of five feet. The boring went to a depth of 21.5 feet, and no subsurface water was found.
- Minor surficial slumping of topsoil at the front of the lot will be mitigated by the proposed development.
- Severe erosion is not a hazard, and proposed drainage and site improvements will protect against potential minor erosion.
- With regard to soils engineering, the site is suitable for the proposed project if recommended design and construction measures are implemented.
- Potential geologic and geotechnical impacts, both site-specific and cumulative, will be reduced to a level of insignificance with implementation of the soils engineering and geology recommendations of the applicant's consultant, the third party professional reviewer and the County Geologist.

According to a drainage study prepared for the Chaney Avenue area, including an area between the project site and Highway 1 (Orton, November 1997), stormwater runoff from the 100-year storm would be negligible and would have little effect on the culvert under Highway 1, if all vacant parcels within the drainage study area were developed. In addition, stormwater runoff from individual properties would be small and could be directed to Chaney Avenue, provided that each site accepts and does not divert historic flows. In that case, no additional drainage to adjacent structures would occur.

Erosion of graded areas and discharge of sediment down gradient will likely result, if adequate temporary and permanent measures are not taken before, during and after vegetation removal and

grading. If not properly mitigated, these impacts both on the project site and within surrounding areas may be significant.

**Mitigation/Conclusion.** Soils engineering and geology recommendations of the applicant's consultant, the third party professional reviewer and the County Geologist include the following (see attached Developer's Statement):

- Geologic and geotechnical recommendations for site preparation, grading (including subslab and floor drainage systems), trenching, foundations (including footings that bear sufficiently into sandstone bedrock), slabs and flatwork, retaining walls and shoring, drainage, observation and testing
- Active involvement of a certified engineering geologist and a geotechnical engineer throughout design and construction of the project
- Evaluation of exposed rock for fracturing at the beginning of site grading; if fracturing poses a safety risk, stoppage of construction and reevaluation of the stability of temporary slopes prior to resuming construction
- Compliance with California Civil Code Section 832 regarding the rights of the adjoining property owner with regard to proposed high cuts next to the existing house
- Implementation of an Asbestos Dust Mitigation Plan to be reviewed and approved by the Air Pollution Control District, as well as an Asbestos Health and Safety Program if determined necessary and approved by the Air Pollution Control District

In order to address potential site-specific and cumulative drainage impacts, preparation of a drainage plan and sedimentation and erosion control plan will be required, with the former plan to include "best management practices," and the latter plan to include both temporary and long-term measures. In addition, the applicant will be required to agree not to oppose formation of a future assessment district for construction of drainage improvements in the area (see attached Developer's Statement).

The preceding recommendations to address geologic, geotechnical, and drainage concerns will be incorporated into the project design and conditions. In addition, the project will comply with standard measures required by ordinance or codes. Incorporation of the preceding measures will reduce potential site-specific and cumulative geology, geotechnical, drainage, and sedimentation and erosion impacts to a level of insignificance

7. HAZARDS & HAZARDOUS MATERIALS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) <i>Interfere with an emergency response or evacuation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

7. HAZARDS & HAZARDOUS MATERIALS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
c) Expose people to safety risk associated with airport flight pattern?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Increase fire hazard risk or expose people or structures to high fire hazard conditions?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create any other health hazard or potential hazard?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project is not located in an area of known hazardous material contamination. The project is not within a high severity risk area for fire. The project is not within the Airport Review area.

**Impact.** The project does not propose the use of hazardous materials. The project does not present a significant fire safety risk. The project is not expected to conflict with any regional evacuation plan. As discussed in one of the geotechnical reports prepared for this project (Fugro West, Inc., May 31, 2005) and in the County Geologist's comments, excavation of deep, temporary slopes poses a potential safety risk to workers due to rock fracturing.

**Mitigation/Conclusion.** As recommended in preceding item 6, Geology and Soils, exposed rock will need to be evaluated for fracturing at the beginning of site grading, and if fracturing poses a safety risk, construction is to be halted and the stability of temporary slopes reevaluated prior to resumption of construction (see attached Developer's Statement). This recommendation will be incorporated into the project, thereby reducing potential safety risks from rock fracturing to a level of insignificance. No other significant impacts as a result of hazards or hazardous materials are anticipated, and no other mitigation measures are necessary.

8. NOISE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Expose people to noise levels that exceed the County Noise Element thresholds?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generate increases in the ambient noise levels for adjoining areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose people to severe noise or vibration?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project is located on Chaney Avenue, which is not identified as a transportation noise source in the *Noise Element* of the County General Plan. The site is located beyond the 60 dB noise

contour for Highway 1 traffic noise. The project is not within close proximity to loud noise sources, and will not conflict with any sensitive noise receptors (e.g., residences). Based on the Noise Element's projected future noise generation from known stationary and vehicle-generated noise sources, the project is within an acceptable threshold area.

**Impact.** The project is not expected to generate loud noises or conflict with the surrounding uses.

**Mitigation/Conclusion.** No significant noise impacts are anticipated, and no mitigation measures are necessary

9. POPULATION/HOUSING - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Use substantial amount of fuel or energy?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting** In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county.

**Impact.** The project will not result in a need for a significant amount of new housing, and will not displace existing housing.

**Mitigation/Conclusion.** No significant population and housing impacts are anticipated, and no mitigation measures are necessary.

10. PUBLIC SERVICES/UTILITIES - <i>Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Fire protection?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

10. PUBLIC SERVICES/UTILITIES - <i>Will the project have an effect upon, or result in the need for new or altered public services in any of the following areas:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
b) Police protection (e.g., Sheriff, CHP)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Solid Wastes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project area is served by the County Sheriff's Department and the Cayucos Fire Protection District as the primary emergency responders. The Cayucos Fire Protection District fire station is approximately 3 miles to the north. Chaney Avenue, which provides access to the site, has been improved to meet Cayucos Fire Protection District standards to the project site, and the improvements have been accepted by the County Public Works Department. The closest Sheriff substation is in Los Osos, approximately 10 miles from the proposed project. The project is located in the Cayucos Elementary School District, and the Coast Unified School District (high school).

**Impact.** The project's direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place.

**Mitigation/Conclusion.** Public facility (county) and school (State Government Code 65995 et seq) fee programs have been adopted to address the project's direct and cumulative impacts, and will reduce the impacts to less than significant levels.

11. RECREATION - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Increase the use or demand for parks or other recreation opportunities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Affect the access to trails, parks or other recreation opportunities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The County Trails Plan shows that a potential trail does not go through the proposed project. The project is not proposed in a location that will affect any trail, park or other recreational resource.

**Impact.** The proposed project will not create a significant need for additional park or recreational resources.

**Mitigation/Conclusion.** No significant recreation impacts are anticipated, and no mitigation measures are necessary.

12. TRANSPORTATION/ CIRCULATION - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Levels of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** Future development will access onto the following public roads: Chaney Avenue, a local street, and Ocean Blvd. and Old Creek Road, both collector streets. Chaney Avenue handles a low level of local traffic and is improved to Cayucos Fire Protection District standards to the site. Ocean Blvd. and Old Creek Road are currently operating at acceptable levels of service, and are expected to operate at acceptable levels at buildout under the proposed Estero Area Plan, according to the certified Final EIR for the Estero Area Plan update. A referral was sent to the Public Works Department, and no significant traffic-related concerns were identified.

**Impact.** The proposed project is estimated to generate about 10 trips per day, based on the Institute of Traffic Engineer's manual of about 10 trips per day/unit. This small amount of additional traffic will not result in a significant change to the existing road service levels or traffic safety.

**Mitigation/Conclusion.** No significant traffic impacts were identified, and no mitigation measures are necessary.

13. WASTEWATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Adversely affect community wastewater service provider?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project will generate approximately 175 gallons per day of effluent. The project proposes to connect to the existing community sewer system, the effluent from which is treated at the Morro Bay treatment plant.

**Impact.** A final will-serve letter from the Cayucos Sanitary District will be required prior to issuance of a construction permit. According to the certified Final EIR for the Estero Area Plan update, there is sufficient wastewater treatment plant capacity at the Morro Bay treatment plant, both today and at buildout under the proposed Estero Area Plan, considering wastewater flow from both Cayucos and Morro Bay.

**Mitigation/Conclusion.** No significant wastewater impacts were identified, and no mitigation measures are necessary.

14. WATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate any water quality standards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Change the quantity or movement of available surface or ground water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Adversely affect community water service provider?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project will use a total of about 0.2254 acre-feet of water per year. The project is to connect to a community water system operated by County Service Area 10A. The water purveyor plans to participate in the proposed Lake Nacimiento water project in order to obtain supplemental water.

The topography of the project is steeply sloping. The closest creek (Willow Creek) from the proposed development is approximately 0.5 miles away. According to the soil engineering report prepared by Earth Systems Pacific, December, 2004, the soils are erodible.

**Impact.** County Service Area 10A has issued a "will-serve" letter. If supplemental water is needed to serve future buildout, the water purveyor has the ability to participate in the proposed Lake Nacimiento water project.

As proposed, the project will result in the disturbance of approximately 3,000 square feet. Grading is proposed for excavations for footings, a foundation and driveway.

**Mitigation/Conclusion.** Since no potentially significant water quantity or quality impacts were identified, no specific measures above standard requirements have been determined necessary. Drainage and erosion control and sedimentation measures will be required for the proposed project (see preceding item 6, Geology and Soils) and will provide sufficient measures to adequately protect surface water quality.

15. LAND USE - Will the project:	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) <i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting/Impact.** Surrounding uses are identified on Page 2 of the Initial Study. The proposed single-family residential use is compatible with the surrounding uses, because they are low-intensity uses consisting of single-family dwellings. The proposed project was reviewed for consistency with policy



and/or regulatory documents relating to the environment and appropriate land use (e.g., County Coastal Zone Land Use Ordinance, Local Coastal Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., Cayucos Fire Protection District for Fire Code, etc.). The project was found to be consistent with these documents (refer also to Exhibit A for reference documents used).

The project includes a Variance for grading on slopes in excess of 30 percent. Findings can be made to justify the Variance. Variance requests are not inconsistent with policy and/or regulatory documents relating to the environment and appropriate land use, and this request will not result in incompatible land uses.

The project is not within or adjacent to a Habitat Conservation Plan area. The project is consistent or compatible with the surrounding uses as summarized on page 2 of this Initial Study.

**Mitigation/Conclusion.** No inconsistencies were identified and therefore no additional measures above what will already be required was determined necessary.

**16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:**

Potentially  
Significant

Impact can  
& will be  
mitigated

Insignificant  
Impact

Not  
Applicable

- |  |                          |                                     |                                     |                          |
|--|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a) <i>Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</i> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) <i>Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)</i>  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| c) <i>Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</i>  | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Review", or the California Environmental Resources Evaluation System at "http://ceres.ca.gov/topic/env\_law/ ceqa/ guidelines/" for information about the California Environmental Quality Act.

# **Exhibit A - Initial Study References and Agency Contacts**

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ☒) and when a response was made, it is either attached or in the application file:

<b>Contacted</b>	<b>Agency</b>	<b>Response</b>
<input checked="" type="checkbox"/>	County Public Works Department	<b>Attached</b>
<input type="checkbox"/>	County Environmental Health Division	<b>Not Applicable</b>
<input checked="" type="checkbox"/>	County Agricultural Commissioner's Office	<b>In File**</b>
<input type="checkbox"/>	County Airport Manager	<b>Not Applicable</b>
<input type="checkbox"/>	Airport Land Use Commission	<b>Not Applicable</b>
<input type="checkbox"/>	Air Pollution Control District	<b>Not Applicable</b>
<input type="checkbox"/>	County Sheriff's Department	<b>Not Applicable</b>
<input type="checkbox"/>	Regional Water Quality Control Board	<b>Not Applicable</b>
<input checked="" type="checkbox"/>	CA Coastal Commission	<b>None</b>
<input type="checkbox"/>	CA Department of Fish and Game	<b>Not Applicable</b>
<input type="checkbox"/>	CA Department of Forestry	<b>Not Applicable</b>
<input type="checkbox"/>	CA Department of Transportation	<b>Not Applicable</b>
<input type="checkbox"/>	Community Service District	<b>Not Applicable</b>
<input checked="" type="checkbox"/>	Other <u>Cayucos Fire Protection District, CSA10A, CCAC</u>	<b>Attached</b>
<input checked="" type="checkbox"/>	Other <u>Cayucos Sanitary District</u>	<b>None</b>

**\*\* "No comment" or "No concerns"-type responses are usually not attached**

The following checked ("☒") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

<input checked="" type="checkbox"/> Project File for the Subject Application	<input checked="" type="checkbox"/> Estero Area Plan and Update EIR
<b>County documents</b>	<input type="checkbox"/> Circulation Study
<input type="checkbox"/> Airport Land Use Plans	<b>Other documents</b>
<input checked="" type="checkbox"/> Annual Resource Summary Report	<input checked="" type="checkbox"/> Archaeological Resources Map
<input checked="" type="checkbox"/> Building and Construction Ordinance	<input checked="" type="checkbox"/> Area of Critical Concerns Map
<input checked="" type="checkbox"/> Coastal Policies	<input checked="" type="checkbox"/> Areas of Special Biological Importance Map
<input checked="" type="checkbox"/> Framework for Planning (Coastal & Inland)	<input checked="" type="checkbox"/> California Natural Species Diversity Database
<input checked="" type="checkbox"/> General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:	<input checked="" type="checkbox"/> Clean Air Plan
<input type="checkbox"/> Agriculture & Open Space Element	<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Energy Element	<input checked="" type="checkbox"/> Flood Hazard Maps
<input checked="" type="checkbox"/> Environment Plan (Conservation, Historic and Esthetic Elements)	<input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County
<input checked="" type="checkbox"/> Housing Element	<input checked="" type="checkbox"/> Regional Transportation Plan
<input checked="" type="checkbox"/> Noise Element	<input checked="" type="checkbox"/> Uniform Fire Code
<input checked="" type="checkbox"/> Parks & Recreation Element	<input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)
<input checked="" type="checkbox"/> Safety Element	<input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input checked="" type="checkbox"/> Land Use Ordinance	<input type="checkbox"/> Other _____
<input type="checkbox"/> Real Property Division Ordinance	
<input checked="" type="checkbox"/> Trails Plan	
<input type="checkbox"/> Solid Waste Management Plan	

In addition, the following project-specific information and/or reference materials have been considered as a part of the Initial Study:

*Geologic Hazards Study, Lots 26 and 27, Chaney Avenue, Cayucos, California*, Earth Systems Consultants Northern California, June 12, 1997

*Cumulative Geologic Impact Review, APN 064-404-011, Chaney Avenue, Cayucos Area, San Luis Obispo County, California*, Geosolutions LLC, November 17, 1997.

*Geologic Hazard Report Update, Davis Residence, Lots 26 and 27, Chaney Avenue, Cayucos, California*, Earth Systems Pacific, June 4, 2004

*Response to San Luis Obispo County Report Review Letter, Davis Residence, Lots 26 and 27, Chaney Avenue, Cayucos, California*, Earth Systems Pacific, December 6, 2004

*Update of Site Geotechnical Evaluation, Davis Residence, Lots 26 and 26, Block 11, Morro Strand Unit No. 1, Cayucos, California*, Earth Systems Consultants Northern California, June 2, 1994

*Soils Engineering Report Update, Davis Residence, Lots 26 and 27, Chaney Avenue, Cayucos, California*, December 20, 2004, Earth Systems Pacific, December 20, 2004

*Report of Subsurface Exploration, Davis Residence, Proposed Lots 26 and 27, Chaney Avenue, Cayucos, California*, Earth Systems Pacific, July 11, 2005

*Review of Soil Engineering Report Update, Davis Residence, Lots 26 and 27, Chaney Avenue, Cayucos, California*, Fugro West, May 31, 2005

*Drainage Report for Chaney Avenue in Cayucos*, Terry Orton, PCE, November 1997

## Exhibit B - Mitigation Summary Table

### Agricultural Resources

**Prior to transfer of the property**, the applicant shall disclose to prospective buyers the consequences of existing and potential intensive agricultural operations on adjacent parcels including, but not limited to: dust, noise, odors and agricultural chemicals and the county's Right to Farm ordinance currently in effect at the time said deed is recorded.

### Air Quality: Naturally Occurring Asbestos

**Prior to any ground-disturbing construction activities**, the applicant shall comply with all requirements for asbestos outlined in the State Air Resources Board Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements may include, but are not limited to, 1) preparation of an "Asbestos Dust Mitigation Plan", which must be approved by APCD before grading begins; and 2) an "Asbestos Health and Safety Program," as determined necessary and approved by APCD (for any questions regarding these requirements, contact Karen Brooks (APCD) at (805) 781-5912).

**Monitoring:** All applicable mitigation measures will be shown on the grading and building plans. Compliance will be verified by APCD.

### Geology (site-specific and cumulative)

**Prior to any ground-disturbing construction activities or issuance of construction or grading permits**, the following conditions shall be included on all construction and grading plans:

- A certified engineering geologist shall review, approve and stamp construction plans, including all plans for building foundations and excavations.
- The certified engineering geologist and the soils and/or civil engineer shall inspect work on-site and verify, as applicable, that building construction, including all foundation work, has been performed in a manner consistent with the intent of the plan review, geology reports and information, and the soils engineering reports (including the following: *Geologic Hazards Study, Lots 26 and 27, Chaney Avenue, Cayucos, California*, Earth Systems Consultants Northern California, June 12, 1997; *Cumulative Geologic Impact Review, APN 064-404-011, Chaney Avenue, Cayucos Area, San Luis Obispo County, California*, Geosolutions LLC, November 17, 1997; *Geologic Hazard Report Update, Davis Residence, Lots 26 and 27, Chaney Avenue, Cayucos, California*, Earth Systems Pacific, June 4, 2004; *Response to San Luis Obispo County Report Review Letter, Davis Residence, Lots 26 and 27, Chaney Avenue, Cayucos, California*, Earth Systems Pacific, December 6, 2004; *Report of Subsurface Exploration, Davis Residence, Proposed Lots 26 and 27, Chaney Avenue, Cayucos, California*, Earth Systems Pacific, July 11, 2005; *Soils Engineering Report Update, Davis Residence, Lots 26 and 27, Chaney Avenue, Cayucos, California*, December 20, 2004, Earth Systems Pacific, December 20, 2004; *Review of Soil Engineering Report Update, Davis Residence, Lots 26 and 27, Chaney Avenue, Cayucos, California*, Fugro West, May 31, 2005).
- The certified engineering geologist shall issue a final engineering geology compliance report as required by the Uniform Building Code that identifies changes observed during construction, recommendations offered for mitigation, and confirmation that construction was completed in compliance with the intent of the geology reports and information (see list in preceding item)

- Should the services of the certified engineering geologist be terminated prior to final inspection and/or occupancy, the applicant shall submit a transfer of responsibility statement to the County Planning and Building Department from the new certified engineering geologist per the Uniform Building Code.
- A final report prepared by a soils and/or civil engineer shall be submitted to the County Planning and Building Department's field inspector stating that all work performed is suitable to support the intended structure. Such report shall include any field reports, compaction data, etc.
- The applicant shall implement all recommendations in the Observation and Testing Program prepared by the project civil engineer(s), geotechnical engineer(s), and/or certified engineering geologist(s). The Observation and Testing Program may include, but not be limited to review of the following: project plans, including grading, drainage, foundation, and retaining wall plans; stripping and clearing of vegetation; cut and fill slopes; benching and keying; preparation of paved areas; preparation of soil to receive fill; fill placement and compaction; subsurface drainage control; footing excavations; premoistening of subslab soils; surface and subsurface drainage structures; erosion control measures

**Monitoring:** Report will be submitted to the Department of Planning and Building for review and approval.

**During project construction/ground disturbing activities,** the applicant shall retain a certified engineering geologist of record and shall provide the engineering geologist's *Written Certification of Adequacy of the Proposed Site Development for its Intended Use* to the Department of Planning and Building.

**Monitoring:** Report will be submitted to the Department of Planning and Building for review and approval.

Prior to occupancy or final inspection, whichever occurs first, the soils engineer and certified engineering geologist of record, shall verify, as applicable, that construction is in compliance with the intent of the plan review, geologic reports and information, and the soils engineering reports (including the following: *Geologic Hazards Study, Lots 26 and 27, Chaney Avenue, Cayucos, California*, Earth Systems Consultants Northern California, June 12, 1997; *Cumulative Geologic Impact Review, APN 064-404-011, Chaney Avenue, Cayucos Area, San Luis Obispo County, California*, Geosolutions LLC, November 17, 1997; *Geologic Hazard Report Update, Davis Residence, Lots 26 and 27, Chaney Avenue, Cayucos, California*, Earth Systems Pacific, June 4, 2004; *Response to San Luis Obispo County Report Review Letter, Davis Residence, Lots 26 and 27, Chaney Avenue, Cayucos, California*, Earth Systems Pacific, December 6, 2004; *Report of Subsurface Exploration, Davis Residence, Proposed Lots 26 and 27, Chaney Avenue, Cayucos, California*, Earth Systems Pacific, July 11, 2005; *Soils Engineering Report Update, Davis Residence, Lots 26 and 27, Chaney Avenue, Cayucos, California*, December 20, 2004, Earth Systems Pacific, December 20, 2004; *Review of Soil Engineering Report Update, Davis Residence, Lots 26 and 27, Chaney Avenue, Cayucos, California*, Fugro West, May 31, 2005). The soils engineer and certified engineering geologist of record shall provide written verification that the recommendations of the preceding geologic reports and information have been incorporated into the final design and construction, and such verification shall be submitted to the Department of Planning and Building for review and approval.

**Monitoring:** Written verification will be submitted to the Department of Planning and Building for review and approval.

Drainage (site-specific and cumulative)

**At the time of application for construction permits,** the applicant shall submit a drainage plan prepared by a Registered Civil Engineer for review and approval by the County Public Works Department. The plan shall, at a minimum evaluate: 1) the effects of the project's projected runoff on adjacent properties and existing drainage facilities and systems, and 2) estimates of existing and increased runoff resulting from the proposed improvement. The plan shall include Best Management Practices (BMPs) to address polluted runoff, including, but not limited to minimizing the use of impervious surfaces (e.g., installing pervious driveways and walkways) and directing runoff from roofs and drives to vegetative strips before it leaves the site.

**Monitoring:** Drainage plan shall be submitted to the County Public Works Department for review and approval.

**Prior to issuance of any construction or grading permits,** a sedimentation and erosion control plan shall be prepared per County Coastal Zone Land Use Ordinance Section. 23.05.036 for review and approval by the County Public Works Department, and it shall be incorporated into the project to minimize sedimentation and erosion. The plan will need to be prepared by a registered civil engineer and address the following to minimize temporary and long-term sedimentation and erosion: slope surface stabilization, erosion and sedimentation control devices, final erosion control measures, and control of off-site effects.

**Monitoring:** Sedimentation and Erosion Control Plan shall be submitted to the County Public Works Department for review and approval.

**Prior to occupancy of final inspection, whichever occurs first,** the registered civil engineer shall verify that the recommendations of the approved Drainage Plan and the Sedimentation and Erosion Control Plan have been implemented. This verification shall be submitted in writing to the Department of Planning and Building for review and approval. If required by the County Public Works Department, the applicant shall execute a plan check and inspection agreement with the county, so that the drainage, sedimentation and erosion control facilities can be inspected and approved before final occupancy or final inspection, whichever occurs first.

**Monitoring:** Report will be submitted to the Department of Planning and Building for review and approval.

**Prior to issuance of any construction or grading permits,** the applicant shall submit to the County Public Works Department a signed, "Agreement to Participate in and not Oppose Formation of an Assessment District for the Construction and Installation of Drainage Improvements." The boundaries of the possible future assessment district include the hillside area of Cayucos, easterly of Highway 1 and southeasterly of Willow Creek.

**Monitoring:** Agreement will be submitted to the County Public Works Department for review and approval.

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December 27, 2005

**DEVELOPER'S STATEMENT FOR DAVIS VARIANCE/  
COASTAL DEVELOPMENT PERMIT;  
ED 05-061/DRC2003-00062**

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All construction/grading activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

**Note:** The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

**AGRICULTURAL RESOURCES**

Prior to transfer of the property, the applicant shall disclose to prospective buyers the consequences of existing and potential intensive agricultural operations on adjacent parcels including, but not limited to: dust, noise, odors and agricultural chemicals and the county's Right to Farm ordinance currently in effect at the time said deed is recorded.

**AIR QUALITY: NATURALLY OCCURRING ASBESTOS**

Prior to any ground-disturbing construction activities, the applicant shall comply with all requirements for asbestos outlined in the State Air Resources Board Air Toxics Control Measure (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations. These requirements may include, but are not limited to, 1) preparation of an "Asbestos Dust Mitigation Plan", which must be approved by APCD before grading begins; and 2) an "Asbestos Health and Safety Program," as determined necessary and approved by APCD (for any questions regarding these requirements, contact Karen Brooks (APCD) at (805) 781-5912).

**Monitoring:** All applicable mitigation measures will be shown on the grading and building plans. Compliance will be verified by APCD.

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*[Signature]*

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GEOLOGY (SITE-SPECIFIC AND CUMULATIVE)

Prior to any ground-disturbing construction activities or issuance of construction or grading permits, the following conditions shall be included on all construction and grading plans:

- A certified engineering geologist shall review, approve and stamp construction plans, including all plans for building foundations and excavations.
- The certified engineering geologist and the soils and/or civil engineer shall inspect work on-site and verify, as applicable, that building construction, including all foundation work, has been performed in a manner consistent with the intent of the plan review, geology reports and information, and the soils engineering reports (including the following: *Geologic Hazards Study, Lots 26 and 27, Chaney Avenue, Cayucos, California*, Earth Systems Consultants Northern California, June 12, 1997; *Cumulative Geologic Impact Review, APN 064-404-011, Chaney Avenue, Cayucos Area, San Luis Obispo County, California*, Geosolutions LLC, November 17, 1997; *Geologic Hazard Report Update, Davis Residence, Lots 26 and 27, Chaney Avenue, Cayucos, California*, Earth Systems Pacific, June 4, 2004; *Response to San Luis Obispo County Report Review Letter, Davis Residence, Lots 26 and 27, Chaney Avenue, Cayucos, California*, Earth Systems Pacific, December 6, 2004; *Report of Subsurface Exploration, Davis Residence, Proposed Lots 26 and 27, Chaney Avenue, Cayucos, California*, Earth Systems Pacific, July 11, 2005; *Soils Engineering Report Update, Davis Residence, Lots 26 and 27, Chaney Avenue, Cayucos, California*, December 20, 2004, Earth Systems Pacific, December 20, 2004; *Review of Soil Engineering Report Update, Davis Residence, Lots 26 and 27, Chaney Avenue, Cayucos, California*, Fugro West, May 31, 2005).
- The certified engineering geologist shall issue a final engineering geology compliance report as required by the Uniform Building Code that identifies changes observed during construction, recommendations offered for mitigation, and confirmation that construction was completed in compliance with the intent of the geology reports and information (see list in preceding item)
- Should the services of the certified engineering geologist be terminated prior to final inspection and/or occupancy, the applicant shall submit a transfer of responsibility statement to the County Planning and Building Department from the new certified engineering geologist per the Uniform Building Code.
- A final report prepared by a soils and/or civil engineer shall be submitted to the County Planning and Building Department's field inspector stating that all work performed is suitable to support the intended structure. Such report shall include any field reports, compaction data, etc.
- The applicant shall implement all recommendations in the Observation and Testing Program prepared by the project civil engineer(s), geotechnical engineer(s), and/or certified engineering geologist(s). The Observation and Testing Program may include, but not be limited to review of the following: project plans, including grading, drainage, foundation, and retaining wall plans; stripping and clearing of vegetation; cut and fill slopes; benching and keying; preparation of paved areas; preparation of soil to receive fill; fill placement and compaction; subsurface drainage control; footing excavations; premoistening of subslab soils; surface and subsurface drainage structures; erosion control measures

1/19/06  
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**Monitoring:** Report will be submitted to the Department of Planning and Building for review and approval.

During project construction/ground disturbing activities, the applicant shall retain a certified engineering geologist of record and shall provide the engineering geologist's *Written Certification of Adequacy of the Proposed Site Development for its Intended Use* to the Department of Planning and Building.

**Monitoring:** Report will be submitted to the Department of Planning and Building for review and approval.

Prior to occupancy or final inspection, whichever occurs first, the soils engineer and certified engineering geologist of record, shall verify, as applicable, that construction is in compliance with the intent of the plan review, geologic reports and information, and the soils engineering reports (including the following: *Geologic Hazards Study, Lots 26 and 27, Chaney Avenue, Cayucos, California*, Earth Systems Consultants Northern California, June 12, 1997; *Cumulative Geologic Impact Review, APN 064-404-011, Chaney Avenue, Cayucos Area, San Luis Obispo County, California*, Geosolutions LLC, November 17, 1997; *Geologic Hazard Report Update, Davis Residence, Lots 26 and 27, Chaney Avenue, Cayucos, California*, Earth Systems Pacific, June 4, 2004; *Response to San Luis Obispo County Report Review Letter, Davis Residence, Lots 26 and 27, Chaney Avenue, Cayucos, California*, Earth Systems Pacific, December 6, 2004; *Report of Subsurface Exploration, Davis Residence, Proposed Lots 26 and 27, Chaney Avenue, Cayucos, California*, Earth Systems Pacific, July 11, 2005; *Soils Engineering Report Update, Davis Residence, Lots 26 and 27, Chaney Avenue, Cayucos, California*, December 20, 2004, Earth Systems Pacific, December 20, 2004; *Review of Soil Engineering Report Update, Davis Residence, Lots 26 and 27, Chaney Avenue, Cayucos, California*, Fugro West, May 31, 2005). The soils engineer and certified engineering geologist of record shall provide written verification that the recommendations of the preceding geologic reports and information have been incorporated into the final design and construction, and such verification shall be submitted to the Department of Planning and Building for review and approval.

**Monitoring:** Written verification will be submitted to the Department of Planning and Building for review and approval.

#### DRAINAGE (SITE-SPECIFIC AND CUMULATIVE)

At the time of application for construction permits, the applicant shall submit a drainage plan prepared by a Registered Civil Engineer for review and approval by the County Public Works Department. The plan shall, at a minimum evaluate: 1) the effects of the project's projected runoff on adjacent properties and existing drainage facilities and systems, and 2) estimates of existing and increased runoff resulting from the proposed improvement. The plan shall include Best Management Practices (BMPs) to address polluted runoff, including, but not limited to minimizing the use of impervious surfaces (e.g., installing pervious driveways and walkways) and directing runoff from roofs and drives to vegetative strips before it leaves the site.

1/19/06  
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**Monitoring:** Drainage plan shall be submitted to the County Public Works Department for review and approval.

Prior to issuance of any construction or grading permits, a sedimentation and erosion control plan shall be prepared per County Coastal Zone Land Use Ordinance Section. 23.05.036 for review and approval by the County Public Works Department, and it shall be incorporated into the project to minimize sedimentation and erosion. The plan will need to be prepared by a registered civil engineer and address the following to minimize temporary and long-term sedimentation and erosion: slope surface stabilization, erosion and sedimentation control devices, final erosion control measures, and control of off-site effects.

**Monitoring:** Sedimentation and Erosion Control Plan shall be submitted to the County Public Works Department for review and approval.

Prior to occupancy of final inspection, whichever occurs first, the registered civil engineer shall verify that the recommendations of the approved Drainage Plan and the Sedimentation and Erosion Control Plan have been implemented. This verification shall be submitted in writing to the Department of Planning and Building for review and approval. If required by the County Public Works Department, the applicant shall execute a plan check and inspection agreement with the county, so that the drainage, sedimentation and erosion control facilities can be inspected and approved before final occupancy or final inspection, whichever occurs first.

**Monitoring:** Report will be submitted to the Department of Planning and Building for review and approval.

Prior to issuance of any construction or grading permits, the applicant shall submit to the County Public Works Department a signed, "Agreement to Participate in and not Oppose Formation of an Assessment District for the Construction and Installation of Drainage Improvements." The boundaries of the possible future assessment district include the hillside area of Cayucos, easterly of Highway 1 and southeasterly of Willow Creek.

**Monitoring:** Agreement will be submitted to the County Public Works Department for review and approval.

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*The applicant understands that any changes made to the project description subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.*

  
Signature of Owner(s)

Date 1/19/06

Name of Owner – Print

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